

FREEDOM OF INFORMATION
AND
PRIVACY ACTS

Subject: Julius Rosenberg

File Number: 65-15348

Section: Sub 15(A)



FEDERAL BUREAU OF INVESTIGATION

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FILE DESCRIPTION

NEW YORK FILE

SUBJECT Julius Rosenberg

FILE NO. 65-15348
Sub "A"

VOLUME NO. 15

SERIALS 1111

thru
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VOLUME 15

NEW YORK FILES

REVIEWED BY

10/1/80

File No. 65-15380-Sub A

Re: Julius Rosenberg

Date 2/8

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
1111	6-7-53	NY World Telegram & Sun clippings	2	2	
1112	6-7-53	NY Bklyn Eagle clippings	1	1	
1113	6-7-53	NY Journal American "	1	1	
1114	6-7-53	NY Post "	1	1	
1115	6-7-53	NY Journal American "	2	2	
1116	6-7-53	NY Post clippings	1	1	
1117	6-7-53	NY Bklyn Eagle "	2	2	
1118	6-7-53	NY Post clippings	3	3	
1119	6-23-53	NY Post "	1	1	
1120	6-19-53	NY Post "	2	2	
1121	6-19-53	NY Post "	2	2	
1122	6-19-53	NY Journal American "	1	1	

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
1123	6-10-53	NY Bklyn Eagle Newspaper	1	1	
1124	6-19-53	NY World Telegram & Sun	1	1	
1125	6-19-53	NY Bklyn Eagle	1	1	
1126	6-19-53	" " "	1	1	
1127	6-23-53	NY Journal American	1	1	
1128	6-19-53	NY Post Newspaper	1	1	
1129	6-19-53	NY Journal American	1	1	
1130	6-19-53	NY World Telegram & Sun Newspaper	1	1	
1131	6-19-53	NY Journal American	3	3	
1132	6-19-53	" " "	3	3	
1133	6-19-53	NY World Telegram & Sun	3	3	
1134	6-19-53	NY Journal American	1	1	

File No

65-13348 Sub A

Re

Julius Rosenberg

Date

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
1135	6-19-53	NY Journal American Newsclipping	3	3	
1136	6-19-53	NY World Allison v. Son Newsclipping	1	1	
1137	6-19-53	NY Bklyn Eagle	1	1	
1138	6-19-53	" " " "	1	1	
1139	6-19-53	" " " "	1	1	
1140	6-19-53	" " " "	6	6	
1141	6-19-53	NY Post Newsclipping	4	4	
1142	6-19-53	NY World Telegram & Sun	2	2	
1143	6-19-53	" " " "	2	2	
1144	6-19-53	" " " "	1	1	
1145	6-19-53	" " " "	2	2	
1146	6-19-53	NY Journal American	4	4	

VOLUME 15

NEW YORK FILES

REVIEWED BY

JG/jag

File No.

65-15348-Sub A

Date

2/28

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
1147	6-20-53	NY Memo. re: shipping	1	1	
1148	6-20-53	" " " "	3	3	
1149	6-20-53	NY Bklyn Eagle	3	3	
1150	6-20-53	NY News	2	2	
1151	6-20-53	NY Herald Tribune	2	2	
1152	6-20-53	NY Mirror	3	3	
1153	6-20-53	NY Bklyn Eagle	1	1	
1154	6-20-53	NY Herald Tribune. re: shipping	1	1	
1155	6-20-53	NY N.Y. H.S. Newsclipping	6	6	
1156	6-20-53	NY NYST Newsclipping	3	3	
1157	6-20-53	NY Herald Tribune	1	1	
1158	6-20-53	" " " "	1	1	

File No

65-15349 Sub A

Re

Julius Rosenberg

Date

2/78

(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
1159	6-21-53	NY Times clippings	1	1	
1160	6-21-53	" "	1	1	
1161	6-21-53	NY Journal American clippings	4	4	
1162	6-21-53	NY Buffalo Eagle	1	1	
1163	6-21-53	" "	2	2	
1164	6-21-53	NY Post clippings	1	1	
1165	6-21-53	NY Herald Tribune	1	1	
1166	6-21-53	NY News clippings	2	2	
1167	6-21-53	NY Mirror	2	2	
1168	6-21-53	" "	1	1	
1169	6-21-53	Wednesday clippings	1	1	
1170	6-21-53	NY Mirror	2	2	

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
1170	6-22-53	NY Times photo clipping	1	1	
1171	6-22-53	NY Herald Tribune Newsclipping	1	1	
1172	6-22-53	" " "	3	3	
1173	6-22-53	NY Post Newsclipping	2	2	
1174	6-22-53	NY Mirror	2	2	
1175	6-22-53	NY Times	2	2	
1176	6-22-53	NY News	4	4	
1177	6-24-53	NY Mirror	1	1	
1178	6-22-53	NY Post	3	3	
1179	6-22-53	NY City Magazine	3	3	
1180	6-22-53	NY Journal American	2	2	
1181	6-22-53	NY World Telegram & Sun	1	1	

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
1182	6-22-53	NY Journal American, including 2	2	2	
1183	6-22-53	NY Bulletin Eagle " "	2	2	
1184	6-22-53	NY World Telegram & Sun " "	1	1	
1185	6-23-53	NY Times " "	1	1	
1186	6-23-53	NY Journal American " "	1	1	
1187	6-22-53	" " " " " "	1	1	
1188	6-23-53	NY Mirror " "	1	1	
1189	6-23-53	NY Herald Tribune " "	1	1	
1190	6-23-53	NY NEWS " "	1	1	
1191	6-23-53	" " " " " "	1	1	
1192	6-23-53	NY Post " "	1	1	
1193	6-23-53	" " " " " "	1	1	

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(month/year)

Exemptions used or, to whom referred.
(Identify statute if (b)(3) cited)

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U. S. Department of Justice

(MATERIAL MUST NOT BE REMOVED FROM OR ADDED TO THIS FILE)

FEDERAL BUREAU

of

INVESTIGATION

See also Nos. _____

65-15348
Subst 15
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A.A. Nichols
11/20/59
12/4/59

City Spot Check Favors Chair for A-Spies

Even Dissenters Don't Doubt Guilt

By SHELDON BINN,
Staff Writer.

If it were up to Mr. and Mrs. New York, convicted atom spies Julius and Ethel Rosenberg would die tonight in Sing Sing's electric chair.

A spot survey of New Yorkers showed today that the majority of them disagree with yesterday's decision of Justice William O. Douglas granting the Rosenbergs a stay of execution.

The most oft-repeated opinion was that because the Rosenbergs transmitted atomic secrets to Russia, they endangered the lives of millions of Americans and therefore deserve nothing better than swift death.

None Doubt Guilt.

Among those who felt the Supreme Court justice did the right thing, there was a heavy sprinkling of the belief that if the Rosenbergs were left in jail long enough, they might start talking—and would supply information leading to the arrest of other spies. None of the persons contacted by this paper suggested that the Rosenbergs were innocent.

Others who sided with Justice Douglas said they were opposed to capital punishment in general or that execution was too stiff a penalty for the crime. Several thought the atom spies should die if it weren't for their two children.

There were a number of persons who declined comment, including one who said he didn't know too much about the case, but "the caliber of Justice Douglas should be given quite a bit of consideration."

Most Disagree.

But the critics of Justice Douglas outnumbered those who agreed with him.

Said Mrs. Mildred L. Helmer of 46-19 Fresh Pond Rd., Ridgewood:

"The Rosenbergs should get the electric chair without delay. I have a son who has been in Korea for 20 months and it is possible that what the Rosenbergs were attempting to do might have caused his death.

"They didn't think of their children when they were engaging in these activities so why use them now in an attempt to play on the sympathies of the American public?"

Similar sentiments came from

CLIPPING FROM THE

N. Y. N.Y. WORLD TELEGRAM & SUN

DATED JUN 18 1953

FORWARDED BY N. Y. DIVISION

65-15348-A-1111

SEARCHED	INDEXED
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Mrs. Chester Glowacki of 433 E. Ninth St.

"My son Joseph was killed in Korea two years ago. Our boys are being killed by Communists. The Rosenbergs are Communists and we should have no sympathy for them. They deserve to die."

Mrs. Anne MacArthur of 81-05 15th Ave., Jackson Heights, expressed surprise at Justice Douglas' decision.

"As long as President Eisenhower refused to intervene, I did not think Justice Douglas would do anything like this. I am all for their execution because I think they deserved what they were going to get. If they had the chance they would have killed many more than two persons through their actions."

Children Cited.

But there were others who felt different. Mrs. Ethel H. Jones, of 57 W. 148th St. put it this way:

"While I feel they should be punished for their crime, there are the children to think of. I don't think their parents should be taken from them. The Rosenbergs should be whipped and sent back to their children."

Mrs. Charles Lynch of 30 Seaman Ave. said she thought it would be better to send the

Rosenbergs to exile in Russia than to execute them.

"There would be a lot fewer spies if we sent them to Russia."

Mrs. Lynch added, however, that she did not approve of one man stopping the execution. She said the whole court should have acted on the matter.

Against Death Penalty.

Said James Dash of 789 Dean St., Bklyn.: "I don't believe in the death penalty."

Charles E. Whitaker of 882 Franklin Ave., Bklyn., called the stay "a good idea" because "I don't think the government had enough evidence to send them (the Rosenbergs) to the chair."

Typical among persons who took exception to Justice Douglas' decision were:

Mrs. Jesse Perimutter of 4215 Layton St., Elmhurst: "If these people are traitors to their country, their execution should not be delayed."

May Deter Others.

Mrs. Ella Lanza of 193 Roslyn Road, Mineola: "When a man of

the high intelligence and integrity of Judge Kaufman heard the case, knew the full facts and passed this sentence, why should it not be carried out without further dilly dallying? Our own boys who are over in Korea fighting and dying do not get the consideration that these spies are getting."

Howard F. Dunn of 89-24 164th St., Jamaica: "The sentence should be carried out promptly."

Mrs. Jerome Colonna of 97-13 103rd St., Richmond Hill: "They should get the electric chair because if they don't other persons will attempt to sell out their country."

Mrs. Margaret Coyle of 2463 Tiebout Ave., Bx.: "I don't like what Justice Douglas has done. I believe these folks had their day in court and that justice was done."

Siegfried Nathanson of 906 E. 180th St., Bx.: "I don't think that they should have been given the stay of execution. I think they had their day in court."

Mrs. Joseph Siletsky of 845 E.

169th St., Bx.: "Those people should be executed."

More Back Execution.

Miss Josephine di Stefano of 345 E. 12th St.: "I think they deserve to be executed."

Mrs. Edward P. Collins of 823 W. 204th St.: "I really think they should be executed if they gave atomic information to Russia."

Joseph Marsh of 8 Dunston Ave., Yonkers: "I feel they're guilty and should go to the chair."

Fears Other Spies.

Mrs. Ambrose J. Gilles of 31 Bonnie Briar Lane, Larchmont: "I think the decision (granting a stay) is horrid. There is no sense in their hanging on so long. It costs the taxpayers money every time the case is delayed."

Mrs. Agnes Kelly of 520 Bay Ridge Parkway, Bklyn.: "I don't like the decision at all. I agree with President Eisenhower. If they get away with this, similar things will be done against this country."

Elias Boolbel of 152 Prospect Park West, Bklyn.: "I feel they should be executed. Treason is one

of the worst things you can do to a country."

Comments from persons who agreed with Justice Douglas' stay order for one reason or the other included:

Mrs. Bernard Relin of 830 Park Ave.: "I feel perhaps after a little time in jail the Rosenbergs will crack and tell all they know."

Mrs. Hattie P. Stevens of 866 St. Nicholas Ave.: "They should be given life imprisonment. Capital punishment doesn't stop people from being spies."

Cops Guard Home Of A-Spy Judge On Bomb Warning

A four-man round-the-clock police guard was posted at the Manhattan apartment house in which Federal Judge Irving R. Kaufman lives, after police received an anonymous telephone call that "a bomb is going to explode there in 20 minutes."

Kaufman is the jurist who sentenced Julius and Ethel Rosenberg, atom bomb spies, to death. No bomb was discovered, but the guard was posted as a precaution.

65-15348-A-1112

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JUN 18 1953	
FBI - NEW YORK	

CLIPPING FROM THE
N.Y. BROOKLYN EAGLE
N. Y.
DATED JUN 18 1953
FORWARDED BY N. Y. DIVISION

2nd Edition

Expect Quick Over-Ruling:

Prosecutor Staff Amazed by Stay

Ask How Law That Didn't Exist
At the Time Could Be Applied

By BOB CONSIDINE

International News Service Staff Correspondent

Members of the U. S. Attorney's staff who successfully prosecuted the Rosenbergs expressed themselves today as dumbfounded by Supreme Court Justice Douglas's issuance of a stay of execution for the convicted spies.

It was their unanimous opinion that Justice Douglas would be quickly over-ruled.

The members concerned asked not to be quoted by name. But one said, with vigor:

"I can't imagine what went through his mind. He seems to feel that the Rosenbergs should have been tried under the 1946 Atomic Energy Act, instead of the Espionage Act under which they were tried.

CALLED 'PREPOSTEROUS'

"That's preposterous. The Atomic Energy Act was not in existence when the crime was committed. How can a non-existent statute be applicable?"

Another said:

"This whole question on which Justice Douglas has built his stay order comes from attorneys who have no right to enter the case. They are interlopers."

An outstanding member of the team that won the indictment and verdict against the Rosenbergs, after months of effort, stated:

"Justice Douglas brings up the question of whether the jury or the chief prosecutor should have asked the judge to return a death sentence.

"Juries can decide this in such cases as come under the Atomic Energy Act and the so-called 'Lindbergh Law,' having to do with kidnaping. But they have no such right under the 1917 Espionage Act, which applies in the case of the Rosenbergs.

"There was some dispute in

the higher reaches of the Department (Justice) as to whether we should ask for the death sentence in this case. Some wanted it, others wanted a lighter sentence—usually the 30-year limit under the law. Finally, it was decided that we would make no recommendation at all, and leave it to Judge Kaufman.

"That's standard procedure in most Federal courts, though in the Southern District Court of New York recommendations are made rather frequently. Anyway, we left it to Judge Kaufman.

"Before handing down the death penalty he thanked Mr. Saypol (former U. S. Attorney and now judge) for not specifically recommending a punishment. Judge Kaufman said he felt that the gravity of the case was such that he alone wanted to shoulder responsibility for the decision. Mr. Saypol immediately concurred after the decision was made."

CLIPPING FROM THE
N.Y. JOURNAL AMERICAN

N. Y.

FORWARDED TO DIVISION

JUN 18 1953

Afternoon Edition 65-15348-A-1113

Rosenbergs Allowed 90-Min. Anniversary

By HENRY BECKETT
New York Post Correspondent

Sing Sing Prison, June 18—Julius and Ethel Rosenberg had a 14th wedding anniversary meeting today in an atmosphere where time was a torment.

They spent 90 minutes of what could be their last day of life whispering through a heavy wire screen.

The minutes dragged as they awaited the outcome of the deliberations of the black-robed men in Washington but the hours fled rapidly toward the 11 p.m. deadline of execution.

They knew as they whispered together that a quick adverse decision on Justice Douglas' stay could mean the chair tonight—or

any time before Saturday midnight.

Should the justices delay their decision past Saturday midnight, Federal Judge Kaufman would have to set a new date if the decision were adverse.

A favorable decision and more months of legal maneuver—and life — would be ahead of the couple.

Guards who watched the meeting—as they have watched all once-a-week meetings between the two—said there were no outbursts of emotion, no outward display of affection.

Rosenberg wore prison regulation white shirt and grey denim trousers. His wife wore a blue flowered dress.

Warden Denno said the execution could still take place tonight even if the court's decision were delayed as late as 8 p.m. He would not set any deadline beyond that.

Officially, however, he said, that in view of Douglas' ruling, "as far as I am concerned there is no execution."

There had been no preparations for the final ritual of death, he said, and no last meals ordered. The couple's heads have not been shaved.

Outwardly they were stoical, guards said, but their inner turmoil was apparent in the eagerness with which they waited for each news broadcast over prison loudspeakers.

It was over these same loudspeakers yesterday that they heard the news of Justice Douglas' stay. It brought brief jubilation, replaced again by nagging doubt when Chief Justice Vinson

ordered a special term of the court.

Outside, the prison guards had erected a sawhorse barricade to keep demonstrators at least 300 feet away — but there was no sign of demonstrators under the gray walls.

Rosenberg's mother, Sophie, was with him yesterday when news of Justice Douglas' stay came over the loudspeakers.

His first reaction, she said, was: "I don't believe it. I didn't expect it, but I'm so happy."

65-15348A-1114

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CLIPPING FROM THE

N.Y. POST

DATED

FORWARDED BY N.Y. DIVISION

Hear Grim News by Radio:

Condemned Pair Show No Emotion

By LEON RACHT

OSSINING, June 19.—Doomed atom spies Julius and Ethel Rosenberg were lunching today on fish—regular prison fare—when the Sing Sing radio flashed the news this may be their last day on earth.

Death house guards said the condemned couple did not betray their emotions by so much as a twitch of their facial muscles.

Within minutes after the Supreme Court had vacated the stay granted by Justice Douglas, a series of extraordinary measures were taken to prevent any possible left-wing rioting outside the prison tonight.

ALL POLICE ON DUTY

Leaves were cancelled for all 290 guards at Sing Sing, Ossining. Police Chief Spencer Purdy ordered street barricades set up three-quarters of mile from the prison walls. All Ossining policemen were placed on emergency duty through the night.

A detachment of State Troopers from Hawthorne barracks moved into Ossining to be on hand should rumored Rosenberg demonstrations get out of hand.

In the midst of the nerve-breaking tension which hung over the prison, there appeared a strong possibility the Rosenbergs might be given an additional day of life—because of the Jewish Sabbath. They are members of

the Jewish faith, although they have been reported refusing to see visiting clergymen of their faith.

The Rosenbergs may make a request through Rabbi Irving Koslowe, of Mamaroneck, that their execution, tentatively set for 11 o'clock tonight, be postponed until tomorrow night because of the Jewish sabbath which begins at sundown tonight.

"When I get to the prison, I expect to consult with the Rosenbergs on whether they wish to request a postponement of the executions from tonight to tomorrow night," said Rabbi Koslowe at his home.

Rabbi Koslowe, Sing Sing chaplain, dismissed briefly a question on whether the couple, convicted of betraying their country by relaying atomic secrets to Russia, had professed any religion.

"They are members of my

Continued on Page 7, Column 1.

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65-15348-A-1115

Sing Sing Ready For Execution

By LEON RACHT

Continued from First Page

congregation," he said. "I have been seeing them quite often."

In Washington, one Justice Department official said he doubted whether the Rosenbergs would be put to death tonight, although the final decision rests with Atty. Gen. Brownell.

James V. Bennett, director of the Federal Prison Bureau, emphasized that the execution time of 11 o'clock tonight was "tentative," as had been announced earlier by U. S. Marshal William A. Carroll in New York.

It is Carroll's duty to carry out Judge Irving R. Kaufman's mandate that the Rosenbergs die "the week of June 15."

A precedent for a Saturday night execution in Sing Sing already exists in the case of Lepke Buchalter, the executed gang titan.

"We are ready to carry out the executions tonight or tomorrow and are waiting for word from the Federal authorities," said Warden Denno. "Up to this time, we have received no notification."

Shortly before 2 p. m., Warden Denno said he would not start any preparations for the executions until he received official notification to do so.

He said he had an open telephone wire to Marshal Carroll's office in New York. Carroll, in turn, had an open wire to the Justice Department in New York.

RETAIN CALMNESS.

Describing the manner in which the Rosenbergs received news of the Supreme Court decision, Warden Denno said:

"There was no change from the calmness which both the Rosenbergs have shown whenever they received unfavorable news."

A nerve-cracking suspense hung over the prison but it was not visible in the countenances of the doomed couple as they conversed in whispers for more than an hour this morning.

Shortly after 10 a.m. Julius was taken from the women's section of the death house, where he is one of 13 condemned prisoners, and escorted to a chair placed behind a woven metal screen set up before the bars of Ethel's cell.

Guards stood at a discreet distance as the third meeting of the couple was taking place. Twice yesterday they were permitted to confer—90 minutes in the morning; 90 minutes in the afternoon.

As in yesterday's two meetings, guards said the Rosenbergs greeted each other calmly.

Music from the Sing Sing radio system was playing softly while the Rosenbergs talked. Guards said the condemned prisoners frequently halted their conversation as if to better appreciate the music.

The confidence of the Rosenbergs that somehow death will pass them by was so great that they waved off all the pre-execution privileges accorded the condemned. They could have had a sumptuous breakfast, but they were content with the routine fare.

COULD DIE TONIGHT.

The only unusual request they made was that they be allowed to converse with each other and Warden Wilfred Denno quickly assented. It was the first time death-house prisoners had been allowed to meet.

As they did yesterday, the Rosenbergs asked that the death house radio be turned on early, to follow developments in Washington.

Death house guards reported the Rosenbergs, on hearing of the Supreme Court delay in announcing a decision, took it as a favorable point in their behalf.

The spies got the report by prison radio.

Ethel Rosenberg, often described as the "brains" of the conspiracy in which she and her husband stole and delivered atomic secrets to Russia, appeared the more confident.

She said nothing to matrons attending her, but her attitude was described as more jubilant than on any day since she entered the death house 27 months ago.

WIRES KEPT OPEN.

The doomed spies have been informed that a telephone wire to the Justice Department would be open until the minute they step into the electric chair.

This was in case either break and confess to their part in the Communist conspiracy which transmitted the atom bomb secrets to Russia.

No relatives visited the prison but close kin were reported to be in Croton, a few miles from the prison, sheltered by pro-Communist followers.

The area is where Robert Minor, former Daily Worker has a summer home, with swimming pool, butler and maids while he fought the "capitalistic system." He is now a fugitive, escaping after he was convicted in the Communist conspiracy trials.

Sing Sing has been swamped with telephone calls since the Douglas decision. Many have been from foreign Communist newspapers wanting to know the status of the case. Warden Denno has spoken to these correspondents through French, Italian and German interpreters.

One call from the Russian zone in Germany was apparently monitored by the Russians. Denno said the talk was through a German interpreter who was translating from a "strange language."

Bomb Scare Puts Guard On Kaufman

Four patrolmen were assigned early today to guard the 16-story Park Av. building in which Federal Judge Irving R. Kaufman lives. One of the cops was stationed at the judge's apartment door, and another at the lobby entrance.

The assignment was made after police received a phone call last night from an unidentified man who said: "I'm a resident of the building in which Judge Kaufman lives. A bomb is going to explode there in 20 minutes."

Detectives of the Bomb Squad searched the building for more than an hour. The phone call, police said, was unfounded, as was a similar one made at 2 a.m. Saturday.

CLIPPING FROM THE
N.Y. POST

N. Y.

DATED

JUN 18 1953

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65-15348-A 1116

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A-Spy Stay Weighed

65-15348-A-1117

SEARCHED.....	INDEXED.....
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JUN 18 1953	
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CLIPPING FROM THE
N.Y. BROOKLYN EAGLE
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75 per cent

ROSENBERGS STILL MAY DIE TONIGHT

**U. S. Lawyers Open
Supreme Court Fight
To Overrule Douglas**

BULLETIN

**Washington, June 18
(UP)—Government law-
yers before an extraordi-
nary session of the Su-
preme Court today urged
to set aside the stay
of execution granted to
Julius and Ethel Rosen-
berg by Justice William
D. Douglas.**

**Washington, June 18
(UP)—Chief Justice Fred-
M. Vinson summoned the
supreme Court into a rare
special session today to de-
cide whether Julius and
Ethel Rosenberg must die
tonight in Sing Sing's elec-
tric chair for betraying
atomic secrets to Russia.
The dramatic hearing was set
for exactly 11 hours before the
scheduled time of the Rosen-
bergs' execution. It was called
at the urgent request of At-**

(See editorial on Page 14)

torney General Herbert Brownell Jr., who asked the court to overrule a stay of execution granted yesterday by Justice William O. Douglas.

After hearing oral arguments from Government and defense attorneys in open court, the justices were expected to retire to a private conference chamber to reach a decision. Justice Department attorneys hoped for a final ruling late today.

Should the court overrule Douglas today, or at any time before the end of this week, the executions may be carried out without further judicial action. The trial court fixed this week as the time for the executions, but the scheduled hour—11 p.m. tonight—was set by Federal prison officials. They could change the hour up until midnight Saturday without a new court order.

Douglas ordered an indefinite postponement of the executions after the full court had rejected, on the final day of its regular term Monday, three separate appeals to intervene on behalf of the New York couple who were convicted in 1951 of spying for the Soviet Union.

His move provoked a storm of Congressional criticism, and Representative W. M. (Don) Wheeler (D., Ga.) introduced a resolution to start impeachment proceedings against the 54-year-old "Liberal" jurist.

Chairman Chauncey W. Reed (R., Ill.) said his House Judiciary Committee would give "prompt consideration" to the impeachment motion.

Continued on Page 3

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Other high-ranking Republicans, said, however, that it was unlikely anything would come of the move to unseat Douglas since his action was clearly within his authority as a member of the court.

It was the first such emergency meeting of the high tribunal since July 29, 1942, when the justices convened in the midst of their Summer recess to seal the doom of the eight Nazi saboteurs who were landed on U. S. coasts by submarines.

Few Special Terms

The Supreme Court has had only few such "special terms." Technically, it held a special term only last Monday, when a Rosenberg attorney rose in court to appeal for a writ of habeas corpus, seconds after Vinson had banged the gavel formally ending the 1953 Spring term.

The court was not asked to decide today whether the Rosenbergs are guilty, or even whether they deserve a new trial. The only question was whether Douglas had sufficient grounds for granting a stay of execution to give defense attorneys time to start a new appeal through the lower courts.

A ruling supporting Douglas would mean it would be up to these lower courts to decide whether the Rosenbergs were tried under the proper law. Should their decision in turn be upheld later in a high court review, the Government presumably would press for a new trial under the applicable act.

Rera New Legal Question

Douglas said in granting the stay that defense attorneys, who appealed to him as an individual justice Monday night, had raised a new legal question which should be thoroughly aired in the courts "before we allow human lives to be snuffed out."

The question, he said, is whether the Rosenbergs should have been tried under the Atomic Energy Act of 1946 instead of the Espionage Act of 1917, under which they were convicted and sentenced to die. The 1946 law provides for death penalties only on the recommendation of the jury, and the jury made no such recommendation for the Rosenbergs.

The overt acts of espionage charged against the Rosenbergs occurred in 1944 and 1945—before the atomic law was passed. But Douglas said the overall spy conspiracy in which they were alleged to have taken part continued into 1950, according to the evidence presented by Government prosecutors at the trial. Therefore, he concluded, there is at least a possibility that they should have been tried under the later law.

Challenges Douglas' View

Brownell challenged Douglas' view in a 14-page brief which he filed to support his plea for a special court session to cancel the stay of execution.

The Attorney General said Congress meant for the 1946 atomic law "to strengthen" rather than repeal the death penalty provision of the 1917 law. He noted the newer statute provides for death sentences in peacetime, on a jury's recommendation, whereas the older law said the supreme penalty could be invoked only in wartime.

Brownell also said that prosecution under the general spy law was "justified" because the Rosenberg conspiracy involved other things than atomic secrets. Moreover, he said, all of the specific atomic espionage acts charged against them took place before the atomic law was passed and therefore they could not have been prosecuted under it.

On High Court Stay for Hear's People's

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By MALCOLM LOGAN

The lives of Julius and Ethel Rosenberg hung in the judicial scales once more today as the full Supreme Court, convened in an extraordinary session in Washington, began to hear arguments on the government's motion to reverse the stay of execution issued yesterday by Justice Douglas.

The session started at 12:12 p.m. and an hour and a half was allotted to each side for argument on the question whether the two atom-bomb spies were tried and sentenced to death under the wrong law.

Justice Dept. attorneys hoped for a decision by early tonight, and if the stay is reversed by the court, the Rosenbergs may still die in the Sing Sing electric chair at the scheduled hour of 11 p.m.

Warden Denno said the death sentence could be carried out if a decision upholding the government were made as late as 8 p.m.

If it came too late to carry out the sentence tonight, the Rosenbergs could still be executed le-

See Editorial "The Douglas Ruling," Page 25.

gally up to midnight Saturday, since Federal Judge Irving R. Kauwman ordered them put to death this week.

Black Opposes Session

Acting U. S. Solicitor General Robert L. Stern opened the government's case two minutes after the nine justices took their places on the bench. Chief Justice Vinson announced that all but Justice Black had consented to the unusual session.

Stern argued that the contention that the penalties of the Atomic Energy Act of 1946 superseded the 1917 espionage law—the point which Justice Douglas said should be reviewed by all the courts—"does not have substantiality."

He argued that while the Rosenbergs obtained information for Soviet Russia about the A-bomb, their convicted confederate, Morton Sobell, got information on other matters for the Russians.

He had not spoken long before Justices Douglas, Jackson and Clark began questioning him sharply.

Justice Douglas said he thought Stern was overlooking the fact that the conspiracy for which the Rosenbergs were convicted covered the years 1944 to 1950, which included four years after the Atomic Energy Act was passed.

In issuing his stay, Justice

Douglas said that if the Rosenbergs should have been tried under that law instead of the espionage act, they could only be sentenced to 20 years, since capital punishment cannot be imposed unless the jury recommends it under this statute.

Justice Jackson said all the over acts charged against the Rosenbergs occurred before the atomic energy law was passed. Stern replied: "You have the advantage of me in time. I have not mastered all the events in this case."

"If the later act does supersede, the sentence would be vacated and they would go back for resentencing, wouldn't they?" Justice Douglas asked, and Stern replied, "Yes."

As the momentous hearing began, Mrs. Sophie Rosenberg, mother of Julius, arrived in Washington by plane from New York, hoping to plead with President Eisenhower "for the life of my two children."

100 Admitted to Session

At 9 a.m. spectators began to queue up in front of the classic white marble building, and by the time court convened the number had grown to 1,000. Only a few more than 100 were admitted the rest of the 300-odd seats being reserved for lawyers, Senators, Representatives and officials.

Hours before the session start-

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ed, workmen on ladders rehung the red velvet draped on the walls of the court chamber, which had been taken down and rolled up when the court session ended Monday.

Arriving in Washington from Pittsburgh to attend the session, Justice Douglas said his stay, far from being unprecedented as Attorney General Brownell described it, was a matter of legal routine.

It is perfectly normal, he said, for a single justice to stay an execution when he is presented "substantial new questions that have never been decided." There are probably half a dozen such stays by one member of the court during a year, he added.

Silent on Resolution

Earlier in Pittsburgh in explaining his decision, he said: "There's something so irrevocable about death."

Justice Douglas was friendly, but when he was asked about the resolution for his impeachment introduced by Rep. Wheeler (D-Ga.), he replied sternly: "No comment."

If the court upholds Justice Douglas, the case would be returned to lower courts for legal action which might take a year and could result in a new trial.

The Rosenbergs were originally sentenced to death April 5, 1951, and have been reprieved four times since. The latest was Justice Douglas' stay yesterday.

He acted on the petition of two attorneys—Fyke Farmer, of Nashville, Tenn., and Daniel G. Marshall, of Los Angeles—who have had no official connection with the case and have been repudiated consistently by Emanuel H. Bloch and other attorneys for the Rosenbergs.

Both Plan Arguments

Both attorneys said they expected to present arguments to the court today in support of their petition, though Bloch is the attorney of record.

Farmer and Marshall, who said they got their idea from an article written by Irwin Edelman, Los Angeles pamphleteer, challenged the right of Judge Kaufman to sentence the Rosenbergs to death.

Their argument was that the Atomic Energy Act of 1946 superseded the Espionage Act of 1917 under which the Rosenbergs were tried. Under the Atomic Energy Act a death sentence may be imposed only on recommendation of the jury. The jury made no such recommendation about the Rosenbergs.

TUESDAY, JUNE 19, 1951

Spy Actions Preceded Law

Brownell, however, said that the overt acts of spying charged against the Rosenbergs occurred in 1944 and 1945 — before the atomic law was passed and that the Constitution forbids prosecuting anyone under a law passed after the alleged act was committed.

But Justice Douglas argued in his opinion that the case against the Rosenbergs was based not only on specific acts of spying but also on the charge that they took part in a general espionage conspiracy. This conspiracy, he said, by the prosecution's own testimony, continued into 1950—after the atomic law was passed.

Justice Douglas said the purpose of the atomic law was to "ameliorate the penalties disclosed for disclosing atomic secrets" but Brownell argued that the purpose was to "strengthen"—not weaken—the espionage act.

Justice Douglas had headed for the Northwest in his car after his opinion yesterday when he registered at a motel near Uniontown, Pa.

Consider Impeachment

An attendant at the motel said the justice heard a radio broadcast about the special session, remarking, "Let me listen to this." He left soon afterwards for Pittsburgh and flew back to Washington.

While he sat with the

other justices on the case today, the ~~House~~ Judiciary Committee was considering a resolution to impeach him.

The impeachment resolution was greeted with cheers and applause in the House. Chairman Reed (R-Ill.) of the Judiciary Committee, promised prompt consideration.

The resolution accuses Justice Douglas of "high crimes and misdemeanors in office." The resolution wasn't expected to get very far. Other Representatives pointed out that Justice Douglas acted fully within his rights in granting a stay.

Gives His View

Douglas said in granting the stay, "It is important that the country be protected against the nefarious plans of spies who would destroy us. It is also important that before we allow human lives to be snuffed out we be sure—emphatically sure—that we act within the law."

The point raised by Farmer and Marshall is before the court for the first time. The most recent action on the case by the full court was on Monday when the court voted 5-4 to deny a review of the case. Voting with Justices Douglas in the minority were Justices Black, Frankfurter and Jackson.

The court was not being asked whether the Rosenbergs are guilty or even whether they deserve a new trial. The only question was whether Justice Douglas had sufficient ground for granting a stay of execution to give defense attorneys a chance to start a new appeal through the lower courts.

Plea Still Before Ikc

Still being held in abeyance—pending final court action—was a petition for clemency to President Eisenhower. He already has turned down one such petition and was quoted by clergymen on Tuesday as hinting nothing had happened to change his mind.

The Rosenbergs' sympathizers, spearheaded by the Communists, hastily went ahead in this country and other parts of the world with their scheduled "clemency" meetings after they had been temporarily abandoned following issuance of the stay of execution.

Here 1,500 persons boarded a special train arranged for by the National Committee to Secure Justice in the Rosenberg Case at 9 a.m. in Pennsylvania Station. The committee said another trainload would leave at 2 p.m.

Mrs. David Alman, executive secretary of the local Rosenberg committee, said her followers would visit as many Senators and Representatives as they could and if Justice Douglas' order were vacated, picket the White House.

A Flap in Boston

A "Save the Rosenbergs" demonstration on the State House steps in Boston, billed as a "24-hour vigil," fizzled out after only two hours early today. A group of 45 persons marched from 11 p.m. to 1 a.m. and then drifted away.

Hours later, about 20 pickets resumed the march. A woman spectator shouted: "Go back to Russia!" snatched a sign from a 6-foot man and threw it in a trash barrel.

In Newark about 200 demonstrators marched for 30 blocks along Broad St. last night past catcalling, jeering spectators.

Catholics in Paris were summoned to a special hour of prayer in Notre Dame Cathedral. Cardinal Feltin, Archbishop of Paris, who has cabled President Eisenhower urging clemency, approved the service.

Another group in which Communists participated called a public meeting tonight in Paris' Sports Palace.

In Bordeaux, Communist-led gas and electric workers struck for three hours and in Lille workers held a four-hour demonstration. The U. S. Embassy in Paris said it had received 11,000 clemency petitions bearing 500,000 signatures.

The Lyons Den

By Leonard Lyons



The remarkable letters from the Sing Sing death-house, which bore the signatures of Julius and Ethel Rosenberg, have a professional touch about them. Were it not for the fact that a pro author who lives near Kulekbocker Village is alleged to have had a hand in the writing, the clamping of the prison doors suddenly seemed to have endowed the late couple with rare writing talent . . . Sacco and Vanzetti emerged as authors under similar circumstances. Most of their letters, including the one quoted in "The Male Animal," were ghosted by Eugene Lyons.

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Douglas Prefers Lone Wolf Role

By Doris Fleeson

Washington.

Justice Douglas has been the talk of the town since he granted a stay of execution to the Rosenbergs. Even after the full bench of the Supreme Court acts and the Rosenberg case is history, the argument about the Justice himself will go on.

Only the lawyers are going to pay much attention to the legal points involved in the situation. As usual, they disagree.

Generally speaking, however, in this capital they disagree very little about Douglas' stature as a Justice. He is rated highly, and respected for his courage and honesty. Also he is one of the work-horses of the court. For years he and Justice Black have been responsible for a high percentage of the court's decisions. Justice Douglas has also fought its increasing tendency to decide by refusing to decide.

The present Supreme Court breaks little new ground, which is natural in the present ebb tide of the New Deal, but also by refusing to grant writs of certiorari it has been keeping many legal questions off the calendar that, in the Douglas view, it should consider.



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Probably this feeling was an element in the Justice's decision to confront the court with what seemed to him new questions in the Rosenberg case.

But it is about the Justice as a person and a liberal Democrat that the present outcry centers.

Bill Douglas of the rapier mind and creative intelligence is still a symbol of the Roosevelt revolution in which he took a prominent part. He never achieved a serious candidacy for the Presidency but he has inevitably been in and of the little world of knowledgeable politicians, press and interested bystanders, which is what people mean by Washington.

Liberals and Democrats both know that the public will not separate the Justice from the liberal political figure named Douglas. And both liberals and Democrats feel they have been hurt.

Liberals, admitting he is one of their showpieces, mutter that he chooses a poor time to be different. They feel that they suffer from the charge that they aren't tough with Communists; they expect the McCarthys to use Justice Douglas' action to try to prove it.

Democrats groan that they have to take responsibility for him since he has been a prominent member of a Democratic administration, appointed to the court by a Democratic President. They expect Republicans virtuously to proclaim that this proves it was time for a change.

What Justice Douglas believes is clear from his life and works and even from the Western hat he persists in wearing with a dinner jacket. He believes in freedom justice and the right to be different.

That he is being criticized to the point of an impeachment demand for the way he has chosen to demonstrate his creed probably won't bother him unduly.

There is one trap such highly individualistic people tend to fall into, and it is as true on the Right as on the Left. They can't resist the special position; they must speak out when nobody has asked them. Sen. Taft does it; so did the late Sen. Borah.



The Judge and The Crackpots

By Max Lerner

It all started with one of those "crackpot" pamphlets which every famous case seems to generate. It was written by Irwin Edelman, of Los Angeles, once a Communist, expelled from the Party for deviations in 1947. It seemed one of those butcher-paper affairs, at once shrill and boring, which you flee as the very Devil, and which soon wind up in the wastebasket. Yet out of it grew the idea that has furnished one of the most dramatic and fateful last-minute tensions in judicial history.

The idea was, of course, the contention that as accused atom spies, the Rosenbergs should have been tried under the Atomic Energy Act and not the Espionage Act. Once stated, once analyzed in Douglas's stay order, once discussed all over the nation, it seems to have logic and force. But at one time there was only one man in the country who believed it.

A strange question that will probably never be answered is why Rosenberg's own counsel rejected this line of attack. The answer given is that they had too many suggestions flooding them, and too much to do. But other suggestions occur. One is the hazard that all lawyers run, like all technicians—that of seeing only the traditional techniques and brushing aside any unconventional idea. The other is the hazard that lawyers for Communists often run—the desire of the Party leaders to concentrate not on those legal issues which will free the accused but on those which will help depict him as a martyr.

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The two obscure lawyers who decided to push Edelman's case were Daniel Marshall of Los Angeles and Fyke Farmer of Nashville. They first applied in Judge Kaufman's court and were thrown out as "interlopers." But Justice Douglas studied their brief and saw that a novel idea might still be a crucial one. Thus it was the amateurs who scored a feat that was beyond the narrow focus of vision for the orthodox and those with vested ideas.

Whatever the outcome of the full Supreme Court decision, this trio of men have shattered our complacencies. One is a maverick radical, who happens to be a Jew; the second a liberal West Coast lawyer, who happens to be a Catholic; the third a World Government promoter from Nashville, who happens to be a Protestant. There is a cross-section quality about them, but they share one trait. They are what is known in the intellectual trade as "crackpots."

I like them for that fact. I write this column in praise of crackpots like them. The thrust toward conformism has recently been so strong as to flatten out most of them. I am happy to see that the species has not disappeared—that it is, in fact, flourishing mightily.

I could make out a strong case for the crackpot as one of the great creative forces of American history. The Rosenbergs themselves are the very opposite of such crackpots, the essence of whose being is dissent, while the essence of the Rosenbergs is that they are conforming, obedient soldiers in the Communist cause. The supreme irony of the situation is that if the Rosenbergs escape death it will be because of the deeply American tradition of crackpot dissent which the Kremlin masters of the Rosenbergs would have crushed.

From where I view it, Justice Douglas comes out of the episode a figure of first-rate stature. He had calm nerves, sanity, steady purpose, and—supremely—a quiet courage. He is an example of what a superb judicial technician can do when his intellectual resources are enlisted unfalteringly in the cause of justice.

I know that there are many who tremble with an icy rage because they were deprived of their judicial prey. I leave them to nurse their rage. It will do them good to discover that the independence of the judiciary is a cause for which tens of thousands have died over the centuries of British and American history, and that we don't intend to throw it away lightly.

I write this before the Supreme Court has made its decision known. Whether or not the Rosenbergs die, the American people can feel more secure because three obscure Americans and one Supreme Court justice showed imagination and courage. That—and not the photo-finish of the last hours of the case—is what buttresses belief in our system and our people. It could have happened only in the United States.

Many More Hit Ruling By Douglas

Telephone calls protesting Supreme Court Justice Douglas' stay of execution for atom spies Julius and Ethel Rosenberg last night continued to swamp the N. Y. Journal-American switchboard.

Many callers inquired for names of their Congressmen to whom they wish to wire protests.

They were outspokenly angered by Douglas' action, which Atty. Gen. Brownell branded as "unprecedented."

Many compared the lengthy legal opportunities the Rosenbergs received to escape death to "justice" in Soviet Russia, to whom the spies passed vital secrets.

Irate callers pointed out, by way of comparison, the arrest, trial and execution—all in one day—by Communists of a German arrested in the East Berlin riots against the Soviets.

Another case of Soviet "justice" cited by callers was the recent Moscow announcement that one month after "four spies for America" were parachuted into the Ukraine, they were seized, tried and executed.

Others to telephone praised the Supreme Court for quickly convening to decide on Douglas' "doubt" in the Rosenberg case.

Calls received on Douglas' action were not limited to the local New York area but came from Long Island, New Jersey and Connecticut.

A Brooklyn man declared Douglas' move aroused Americans who were "dormant" while Rosenberg sympathizers made an international issue of the case as propaganda against this country

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Committee Gets Resolution to Impeach Douglas

Washington, June 19 (U.P.)—A Georgia Democrat's proposal for the impeachment of Supreme Court Justice William O. Douglas today was turned over to a House Judiciary Subcommittee for study and possible hearings.

Representative Louis E. Graham (R., Pa.), who was named chairman of the subcommittee, said he would call his group together soon to discuss the proposal. But he doubted a subcommittee meeting would be held until after the Supreme Court renders a decision in the Rosenberg case.

The impeachment resolution was laid before the House Wednesday by Representative W. M. (Don) Wheeler (D., Ga.). It accused Douglas of "misdemeanors in office" for granting stays of execution for Julius and Ethel Rosenberg, convicted atomic spies.

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Late News

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Justice Clark's 'Opinion.'

Justice Tom C. Clark has turned down an invitation to testify before the House subcommittee investigating the Justice Department.

The investigation is centered on transactions in the department at the time Mr. Clark was attorney general or an assistant attorney general.

The investigation has nothing whatever to do with Mr. Clark's behavior, decisions or personal life since, by grace of Harry Truman, he became a member of the Supreme Court.

Yet Justice Clark, in a gratuitous "opinion" for the investigating committee, tortures the Constitution to a frazzle by trying to make it seem that his appearance before the committee would involve Congressional interference with the Supreme Court.

"The subcommittee should agree," says Mr. Clark, "that the courts must be kept free from public controversy."

(Note: The court has currently managed, by itself, to get into quite a public brannigan.)

"Our constitutional system," decrees Justice Clark, "makes the judiciary completely independent."

But it also makes an attorney general accountable for what transpires in his department while he is in office. The fact that, through the "strife of public affairs and partisan politics" which he

now so piously eschews, Mr. Clark managed to get himself a lifetime job on the Supreme Court does not alter the record of his administration as attorney general.

The fact that he has been honored by appointment to both these high offices, in itself, should persuade Mr. Clark that his testimony before the Keating committee is not only proper but obligatory.

No responsible, unafraid official ever hides behind a constitutional dodge.

Managing Editor
Howard
OFFICE FROM THE

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Failure of Red Indoctrination Vividly Exposed in Berlin

The Kremlin's masters have specialized since the war's close in the arts of incendiarism. They have dropped sparks in Korea and watched with satisfaction from afar the progress of this diversion. They have seen to it that the meager resources of France were drained by war in Indonesia. They initiated and sustained the guerrilla war in Greece until their forces were crushed. Now they have a war on their own hands, one which is potentially as menacing as if they were opposed by organized and armed forces.

The German revolt is not an isolated uprising, confined to East Berlin, and it is not a flash in the pan to be extinguished quickly by a few summary executions, machine gun bursts directed at the mob and the presence of tanks and troops at strategic points in cities where unrest is evident.

This uprising serves formal notice on Moscow that Germany is not safe, that the occupation has been a failure. The people have not been indoctrinated, they have not been won to Communism and the Soviet way of life, with its human degradation, its abject subservience to brute power.

The violent phase of the Berlin revolt has for the moment been ended, as all

such demonstrations by unarmed and helpless men against military power must end. The angry workers are shot down, clubbed or driven into their homes or other places of refuge. But the stagnation of industry and transportation continues.

What most seriously concerns the Kremlin is the fact that the spirit of the people is unchanged. The swift execution of a worker and the utter ruthlessness of the measures of repression have made the people of East Germany aware that they are marked for slavery, that they are the chattels of the Kremlin.

Soviet Russia, too, has gained in enlightenment during these few days of terror in Germany. It has learned that it has a tinder box at its threshold. Germany must always be watched and guarded against or it will set in motion a chain-reaction of revolt in one satellite after another.

East Germany now has a resistance movement of demonstrated strength, something resembling that of France when the French spirit was higher and more admirable than it is today under the difficulties and problems of peace. It must be a vital factor in all of Moscow's calculations until Germany is again united.

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Ike's Criticism of Book Burning Clarified

Many so-called liberals, who so frequently bob up in the role of defending the Communist point of view on various issues, have been trying their best to embarrass President Eisenhower in connection with his anti-book-burning statement.

Their main purpose seems to have been to picture the President as having been critical of Senator Joseph R. McCarthy for trying to get Communist books out of the State Department libraries overseas. From the moment the Eisenhower speech at Dartmouth was published it seemed perfectly clear to us that he was criticizing the burning of books in libraries here at home for the very sensible reason that we should know the facts about this ideology which is trying to win control of the world.

But now he has answered questions at a press conference which should

clear up the muddleheadedness of his critics. He did not see any reason to have this sort of book in our overseas libraries and of course to include books advocating the overthrow of our own Government would be "silly."

The President did not say so but it seems to us obvious that the very purpose of these libraries in foreign countries is to propagandize the advantages of our type of democratic Government and freedom.

Furthermore, Mr. Eisenhower made it clear that, while he feels strongly Americans should have access to books that give the facts about Communist doctrine, even our libraries at home should not include books advocating the overthrow of our Government. This was all simple and straightforward and provides no basis for turning the incident into a break between the President and Senator McCarthy.

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Capital Commentary:

Rosenberg Data Helping Reds Make Bombs Now

By DAVID SENTNER, Chief, N. Y. Journal-American Washington Bureau

Another reason why there was no White House clemency for the Rosenbergs, atomic spies:

Their stolen nuclear data funneled to Moscow is contributing to the Soviet plan for mass production of A-bombs.

Russia, four years behind on atomic know-how, feels A-bombs can be turned out on the assembly line like automobiles. They think 100 old-fashioned A-bombs can be worth more than one H-bomb.

Topside officialdom in Washington is secretly alarmed over the uprising in East Berlin.

Not sure that disturbances were not Moscow-inspired as pretext to pour heavy armed forces into Soviet sector.

Armored troop reinforcements sent to East Berlin are now in sufficient strength to overwhelm Allied military forces in West in case there was a Soviet putsch.

On the other hand, the Pentagon conjectures that there is more chance of Russia starting a war for divisionary purposes if outbursts in East Berlin reflect a serious anti-Communist rumbling throughout entire corridor of Red satellite nations.

American Intelligence knows Soviet Premier Malenkov has al-

ways been in favor of war with the United States. The majority of the Politburo is in favor of war.

Contrary to popular belief, Malenkov doesn't need time to consolidate his power because he has been doing it for years during Stalin's illness.

Also, Malenkov has the Communist party and the Army under his thumb. And with Beria, chief of the secret police, working along with him, he has nothing to fear.

What the new shift glint in the eye of the Red-Bear means to the U. S. A. home front will be revealed this week before a Senate Judiciary subcommittee by Joe Mazzei, of Pittsburgh, former FBI undercover agent in the Communist party.

Mazzei, who told another Senate committee last week of the Red plot to assassinate Sen. McCarthy (R-Wis.), will testify:

That the present Soviet "peace offensive" is designed to be the last stage in the Red program of giving a "sleeping pill" to the American people before Communist Russia attacks the Continental United States.

That all Red Union officials have been ordered to "lay low" to make it appear that the class struggle has been sidetracked by the Malenkov regime.

That Communist party "operational propaganda" is concentrating upon schools, churches and children.

That while the C. P. is attempting to play possum by posing that it is bankrupt and defunct, there has never been more activity in American Red apparatus in the past 11 years, nor has it ever had as much funds to work with.

There is an untold stirring story behind Mazzei's undercover work for the FBI in the Red party for a dozen years. It is a different sort of thriller than that involving other American counterparts because it is a team affair.

Joe's childhood sweetheart, Mary Kostosky, a Polish-American girl whom he married, worked with him in the party.

The man-and-wife FBI undercover team have three children;

Mary Ann, 12; Joseph, 8, and Nina, 18 months.

Mary Ann kept asking her parents:

"Why are we Communists? Why can't we be Americans?"

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J. A. Harrington

Wheeler Will Press To Impeach Douglas

Washington, June 19 (UP).—Rep. Wheeler (D-Ga.) said today he would continue his attempt to have Supreme Court Justice Douglas impeached.

Wheeler made the statement shortly after the Supreme Court canceled a stay of execution Douglas had granted atomic spies Julius and Ethel Rosenberg.

It was the stay which caused Wheeler to introduce an impeachment resolution.

The high court's action today "definitely strengthens my hand, and I will continue to press for impeachment," Wheeler said.

Wheeler disclosed he had checked with the State Dept. a report that Douglas had applied for a visa to visit Russia and he said the Department confirmed that such an application was pending.

"I told them it's perfectly all right with me if they grant him a visa to Russia—and make it one-way and permanent," he said.

Rep. Chelf (D-Ky.) interrupted House debate on the foreign aid bill to announce the court's decision.

"Praise God from whom all blessings flow and thanks to the Supreme Court," he said.

Scattered applause, mostly

from Republicans, followed Chelf's statement.

The Wheeler resolution has been referred to a judiciary subcommittee.

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2 Sports edition

Senators Probe Death Plot:

Believe Others On Red Slay List

**McCarthy Named as Top Victim,
Mundt Says Testimony Shows**

By ALVIN SPIVAK

International News Service Staff Correspondent

WASHINGTON, June 19.—Sen. Mundt (R.-S. D.) said today "it is quite reasonable to believe" other Senators, besides Sen. McCarthy (R.-Wis.) were involved in an alleged Communist assassination plot.

Joseph D. Mazzei, former FBI undercover agent, told the Senate Permanent Investigations subcommittee Pittsburgh Communist leader Lou Bortz had boasted last Dec. 4 that he was assigned to kill McCarthy.

Mundt said testimony also was given behind closed doors about a "list" of persons marked for death. He said McCarthy topped the list.

McCarthy, who heads the subcommittee, declared he is "not asking any protection." He would neither reveal whether he carries a gun nor whether he had received threats of bodily harm.

He said he had known of the plot for some time. He declined to comment on reports that he was advised not to visit Europe, especially Paris, because of Communist agitation against him.

McCarthy said the subcom-

mittee plans to call Steve Nelson, Pittsburgh Communist leader who has been sentenced to a 20-year prison term for violation of Pennsylvania's sedition laws.

He said Nelson is being summoned in an effort to obtain possible corroboration of Mazzei's testimony.

Mundt said he intends to send a transcript of the hearing to the Justice Department to determine whether Bortz should be prosecuted.

Bortz, 43, a native of Hartford, Conn., and a resident of Butler, Pa., refused to tell the subcommittee whether Mazzei's testimony was true. He said his answer might tend to incriminate him.

Mazzei's testimony is also being sent to the Justice Department. He said Bortz, an electrical appliance repairman, and another Pittsburgh Communist once tried to kill Matt Cvetic, another FBI undercover agent.

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Impeachment Bill Goes to Committee

By the United Press.

WASHINGTON, June 19.—A Georgia Democrat's proposal for the impeachment of Supreme Court Justice William O. Douglas was turned over to a House judiciary subcommittee today for study and possible hearings.

Rep. Louis E. Graham (R., Pa.) was named chairman of the subcommittee. He said he would call his group together soon to discuss the proposal. But he doubted a subcommittee meeting would be held until after the Supreme Court renders a decision in the Rosenberg case.

The impeachment resolution was laid before the House Wednesday by Rep. W. M. (Don) Wheeler (D., Ga.). It accused Justice Douglas of "high crimes and misdemeanors in office" for granting stays of execution for Julius and Ethel Rosenberg, the convicted atomic spies.

Mr. Wheeler was reported to be under pressure from some colleagues—particularly some Southern Democrats—to seek immediate action by the House on the resolution. An impeachment resolution is a matter of the highest priority, and Mr. Wheeler would be within his rights in demanding immediate consideration.

But Mr. Wheeler did not seek immediate action. He made no objection when Speaker Joseph W. Martin Jr. (Mass.) referred the resolution to the Judiciary Committee, where it appeared likely the proposal ultimately would be

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Right Edition

Spies Act

Confident

Of Escaping

Chair

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Afternoon News

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Supreme Court Rules Today on Execution Stay

WASHINGTON, June 19 (AP).—The lives of Julius and Ethel Rosenberg hung by a legal thread that could be strengthened or snapped today at an extraordinary session of the Supreme Court.

The couple spent yesterday, their 14th wedding anniversary, in Sing Sing's Death House, not knowing whether they would die in the electric chair before midnight as spies who conspired to slip atomic secrets to Russia.

They mustered a quiet "thanks" when officially notified the Supreme Court had recessed until noon (N. Y. time) today without reaching a decision on their fate.

Thus, 4½ hours before the fixed execution time, the court kept in force at least temporarily the controversial stay granted Wednesday by Justice Douglas and weighed at length yesterday by the full nine-man court.

Impeachment Study Group Named

In Congress, a special five-man House Judiciary subcommittee was chosen by Chairman Reed (R.-Ill.) to decide whether to recommend Douglas' impeachment, as demanded in a resolution by Rep. Wheeler (D.-Ga.).

Reed said the five were chosen last night for their "extensive legal experience": Reps. McCulloch (R.-Ohio), Miller (R.-N. Y.), Walter (D.-Pa.), Wilson (D.-Tex.) and Graham (R.-Pa.), who is chairman.

The resolution, without being specific, accuses Douglas of "high crimes and misdemeanors." It followed Douglas' issuance of the Rosenberg stay and, on the basis of past records, the odds were against its reaching formal Congressional action.

If the Supreme Court should override Douglas today, the Rosenbergs could be executed tonight or Saturday night—unless President Eisenhower should change his mind about granting them clemency.

New York Federal Judge Irving R. Kaufman has decreed the death sentence should be carried out this week. But he left it to officials at the Ossining, N. Y., prison to set the day and hour.

Kaufman left his chambers last night without acting on a motion before him to block the execution. But there was little expectation he would uphold the motion should the Supreme Court overrule Douglas.

There was some feeling in Washington, however, that the execution was not likely to be held tonight if the court should so act. The theory was that the Rosenbergs, who

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although professed atheists are of Jewish parentage, would not be put to death on the Jewish Sabbath, which begins at sundown today and ends at sundown Saturday.

Should all appeals fail them, the execution most likely would take place Saturday night.

But should the court go along with Douglas, the executions would be postponed again while Federal courts in New York consider whether the death sentence was properly imposed.

Crux of Legal Maneuvering

That was the crux of the legal battle waged yesterday amid mounting tension in Washington and at Sing Sing: should the Rosenbergs have been tried under the 1946 Atomic Energy Act instead of the 1917 Espionage Act?

In their half of the three hours' argument before the Supreme Court yesterday, the Rosenbergs' lawyers said the answer was "yes." But the Justice Department argued it would have become a laughing stock and had its case thrown out if it had invoked the 1946 Atomic Energy Act.

The Rosenberg attorneys said the 1946 law should have been used because the indictment alleged a conspiracy continuing after it went into effect. If it had been used, they said, Judge Kaufman could not have passed the death sentence in the absence of a recommendation by the Rosenberg jury.

Douglas, in granting the stay, had said this argument should be explored. It was the Justice Department's motion to overrule Douglas' order that led Chief Justice

Vinson to summon the justices back from Summer vacations, just begun Monday, to an almost unprecedented session.

The black-robed justices fired questions from their high bench at the opposing attorneys during the sometimes hectic arguments yesterday, but neither then nor after their four-hour secret debate did they give any indication of how they would rule.

To one attorney, Justice Frankfurter said:

"If you can predict what the court will do, then you know more about the court than I do."

The court has four times turned down appeals made on different grounds.

Suspense mounted hourly yesterday in Washington and at Sing Sing as the court deliberated and the clock ticked toward the midnight (N. Y. time) hour fixed for execution.

CLOG CAPITOL CORRIDORS.

There were demonstrations at the capital—thousands strong—and outside Sing Sing's walls there were special barricades to prevent any march on the prison. All 290 prison guards had been

ordered to duty a half hour before execution time.

More than 2,000 clemency pleaders, mostly from out of town, clogged the corridors of the Capitol, within sight of the Supreme Court. All 300 seats in the white marble court building were filled and eager would-be spectators wound in long lines outside.

At the White House, the 2,000 demonstrators shouldered placards and—heckled by passing motorists and by four people carrying cards saying "hang 'em"—walked in a slow circle on the Pennsylvania ave. sidewalk.

President Eisenhower denied the Rosenbergs clemency last February, saying they had a fair trial which convicted them of an act involving betrayal. Another appeal is before Eisenhower, but pardon attorney Daniel M. Lyons has said the President will take no action until all legal steps have been exhausted.

At 12:01 p. m. (N. Y. time)—one minute after the Rosenbergs had been scheduled to die last night—the bulk of the White House demonstrators broke up their line. All but about 200 of them left and a spokesman said the 20 would maintain an all-night vigil.

DIE IN CHAIR TONIGHT

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By WILLIAM KERWIN, International News Service Staff Correspondent

WASHINGTON, June 19.--The Supreme Court ruled today that atomic spies Julius and Ethel Rosenberg must be put to death without further legal delay.

In New York, the U. S. Marshal tentatively set the electrocution for 11 o'clock tonight.

A majority vote of the high tribunal struck down the 11th-hour stay of execution granted Wednesday by Associate Justice Douglas.

At least two members of the court --Douglas and Associate Justice Black--dissented from the majority opinion, which was read by Chief Justice Vinson.

The Court's vote was 6 to 2. Associate Justice Frankfurter declined to vote, declaring the complex legal issues require further study.

Defense Attorney Emanuel Bloch immediately asked for another stay of execution to permit him to make a clemency appeal to President Eisenhower, who has indicated he would deny any such plea.

This stay also was refused by the court after brief secret deliberation.

But this appeared to be the only legal recourse left to the Rosenbergs.

Vinson announced the court would rise and leave the chamber to consider Bloch's appeal.

Instructed to Submit Motion

Bloch was instructed to submit the motion to the clerk.

He asked for an hour's time to prepare the motion but Vinson said he would not need an hour.

The court ended its public session at 12:30 p. m.

The decision on Bloch's motion came more than an hour later.

Under terms of their sentence, the Rosenbergs were to have been electrocuted in Sing Sing prison at 11 o'clock last night. Douglas' stay necessitated a new death time.

The U. S. Marshal in New York is empowered to set a new death hour this week, but if it is delayed beyond Sunday midnight, that action must be undertaken by the trial jurist, Federal Judge Irving R. Kaufman.

The Rosenbergs, who are atheists, are of Jewish births and a Justice Department official indicated they would not be put to death tonight. The Jewish sabbath begins at sundown and ends tomorrow night.

In Congress, Rep. Chelf (D.-Ky.), interrupted a House debate to announce the Supreme Court ruling. He cried:

"I say, thank God from whom all blessings flow, and thank the Supreme Court."

There was no demonstration in the House.

Douglas, whose stay of execution gave rise to one of the

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most furious controversies in court history, was emphatic in voicing his dissent.

Douglas said he had given more time than the full court to the study which resulted in his ruling that there was "serious doubt" as to the validity of the death sentence.

He said today he agrees with the Government that it would be laughed out of court if it had tried to prosecute the case under the atomic law.

But he said Solicitor General Stern missed the point on whether the death penalty could be imposed if part of the alleged acts occurred after passage of the atomic law.

Attorneys Fyke Farmer and Daniel Marshall the "strangers" to the case whose last-ditch attack on the validity of the death sentence won Douglas' stay, moved for reconsideration of the court's action.

They urged the tribunal to hear arguments on its powers to vacate Douglas' order before the extraordinary session is adjourned. Farmer declared:

"It is manifest to the public and the world at large that more time is needed in consideration of the seriousness of this matter."

A personal plea from the Rosenbergs to the President was made public, declaring that "our accusers torture us, in the face of death, with the guarantee of life for the price of a confession of guilt."

REJECT 'BARGAIN.'

The Rosenbergs in a letter datelined "The Death House, Sing Sing Prison," that "we refuse the iniquitous bargain, even as perhaps the last few days of our young lives are slipping away."

The couple wrote:

"We cannot besmirch our names by bearing false witness to save ourselves."

"Do not dishonor America, Mr. President, by considering us a condition of our right to survive the delivery of a confession of guilt for a crime we did not commit."

There have been frequent but never officially confirmed reports that the Rosenbergs were offered a chance to save their lives through a full confession.

GOVERNMENT'S POSITION.

During the hearing on the case Thursday, the Government insisted that most of the Rosenbergs' work in passing atomic secrets to Russia was done between 1944 and 1946, before passage of the Atomic Energy Law.

It said, therefore, that the Rosenbergs rightfully were prosecuted and sentenced under the espionage law of 1917.

Douglas declared that the crime is complete when the conspiracy is concluded, adding that the crime, therefore, occurred following passage of the atomic law which limits imposition of the death sentence.

The Government contended all through the case that the Rosenbergs worked for Russia from 1944 until 1950.

ANNOUNCED BY VINSON.

The jurist said there can be no doubt the death sentence was imposed because the Rosenbergs disclosed atomic secrets.

Douglas added:

"The cold fact is the death sentence cannot be imposed for what the Rosenbergs did without a jury recommendation."

Chief Justice Vinson, in announcing the majority decision, declared there was no question of Douglas' authority to issue the stay.

He added, however, that the issue is whether the death penalty could have been imposed in view of the passage of the atomic law. Vinson added:

"We think that the question is not substantial."

Then, he said:

"Accordingly, we vacate the stay."

BLACK'S DISSENT.

Justice Black, in dissenting, said he did not believe the government or the court had adequate time to consider the "serious question" presented by the Rosenbergs' lawyers.

Their chief counsel, Emanuel H. Bloch, insisted during yesterday's special session of the court that he was not prepared to argue the issue fully and begged for time to allow the matter to be explored in detail by the New York Federal courts.

Black declared that the oral arguments had been wholly inadequate due to the lack of time for the lawyers to prepare for the hearing.

Black gave these reasons for his dissent:

1. He thinks it is doubtful that the full court has authority to set aside the stay of a single Justice such as Douglas granted.

2. Black said the court's action in vacating the stay by Douglas is unprecedented. Even

if the court has the power, he said, he doubts the wisdom of setting such a precedent by calling special sessions to overrule a single justice.

3. Black said the Atomic Law seems to have eliminated the death sentence in atomic espionage acts unless the jury recommends it. He said the Rosenbergs were charged with disclosing atomic secrets and therefore it would seem necessary to hold that the lower courts could impose sentence under the more lenient law.

FAVORS REVIEW.

Black, in his dissenting opinion, said he believes it would be a good idea for the high court to review all cases involving the death penalty. Of the Rosenberg case, he asserted:

"There may always be a question as to whether this execution was legal and rightfully carried out."

Black noted that he has favored review of the Rosenberg case from the beginning and added:

"It seems sufficient to me that the court has not had time or the opportunity to reach a decision on this important case."

Justices Meet Second Day in Special Term

Ruling Expected On Douglas Stay

BULLETIN.

By the Associated Press.

WASHINGTON, June 19.—
Justices of the Supreme Court met in a closed conference at 10:30 a. m. today, presumably for further discussion of the Rosenberg case.

By ANDREW TULLY.

Scripps-Howard Staff Writer.

WASHINGTON, June 19.—It was up to nine men in black robes today whether Julius and Ethel Rosenberg would die this week in the electric chair or be granted a stay that could conceivably last the rest of their natural lives.

The nine members of the United States Supreme Court were to meet at noon in the second day of an extraordinary session, presumably to announce their ruling on an indefinite stay of execution granted two days ago by Associate Justice William O. Douglas, acting alone.

Court's Alternatives.

They had heard the arguments of both defense counsel and the government in a session convened by Chief Justice Fred M. Vinson. And then, only four and a half hours before the Rosenbergs were to die in the electric chair in Sing Sing Prison at 11 o'clock last night, they had announced there would be no decision until today.

That put off the execution for the time being. What happens now depends on what kind of a decision the court hands down.

If the court votes to set aside Justice Douglas' stay, the convicted atom spies can be put to death this week, since the original order was that they should die during the week of June 14.

If the court upholds Justice Douglas' stay, but only until it has had time to further study the case, the couple will be spared another week or 10 days until a decision is rendered.

If the court upholds Justice Douglas and refers the matter to the lower courts for study, the Rosenbergs will be granted at least several more months to live. In fact, they then may even escape the death penalty entirely, providing the lower court rules in their favor.

President's Position.

Meanwhile, defense counsel has a last-ditch weapon ready in case of an adverse decision. A petition for Presidential clemency already is in the hands of the Justice Department for forwarding to President Eisenhower the moment court processes are exhausted. And Mrs. Sophie Rosenberg, mother of Julius, is in Washington, awaiting the chance to make a personal appeal to the Chief Executive.

But since Gen. Eisenhower already has indicated he will not intervene, the issue seems to rest on the arguments presented in that session in the Supreme Court's pillared hall.

The issue was whether the government had been legally correct in trying the Rosenbergs under

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the Espionage Act of 1917, which provides a death sentence for their crime at the discretion of the judge. The defense contended that the prosecution had chosen the improper law; that it should have tried the pair under the Atomic Energy Act of 1946, which provides a death penalty only if injury to injure the United States is charged and only if death is recommended by the jury. In the Rosenberg case, no such intent was charged, and no such jury recommendation was made.

Justice's Questions.

Members of the court, snatched from vacations by Chief Justice Vinson to hear the case, peppered both sides with questions during yesterday's three-hour hearing. They found fault both with the government for not being adequately prepared to argue the case, and with defense counsel for not having advanced the issue earlier.

Acting Solicitor General Robert L. Stern, arguing for the government, declared that the prosecution would have been "laughed out of court" if it had tried to try the Rosenbergs under the Atomic Energy Act. He pointed out that all the Rosenberg transactions involving transmission of atomic secrets had taken place before enactment of the Atomic Energy Act in 1946, and added that, moreover, other defense information was involved, making prosecution under the Espionage Act mandatory.

But court members questioned him closely, and almost continuously, harping particularly on his admission that the government had not spent as much time as it would have liked on the Atomic Energy Act aspect.

Unseemly haste.

Commenting on this, Justice Hugo L. Black asked: "And you still say you are not asking the court to act in unseemly haste?" And Justice Felix Frankfurter complained: "I'll have to go to the trial records to find out what I want to know."

But Mr. Stern continued doggedly on his way, his voice barely audible. He argued that further postponement of the execution "would not serve the interests of justice," and cited a section of the Atomic Energy Act to support his contention that it was not intended to repeal or supersede any other law.

Then, under prodding by several justices, he acknowledged that a court ruling upholding Justice Douglas' stay would mean only a new sentence rather than a new trial.

But all the liveliness was furnished by the two separate sets of attorneys arguing for the Rosenbergs.

Attorney's Complaint.

Attorney Daniel Marshall of Los Angeles, representing the Rosenbergs' "friend in court," Irwin Edelman of Los Angeles, complained bitterly about the court being reconvened on such short notice. He shouted that "no other court—not even a justice of the peace"—would call "the meanest pimp" before the bar on such short notice.

Then he got into a finger-wagging argument with Justice Robert Jackson, who inquired whether his client, Mr. Edelman, was the same man who had been before the Supreme Court on a vagrancy charge.

"Let's get this straight," shouted Mr. Marshall. "It was not a vagrancy charge—it was a freedom of speech case." A moment later he

was complaining: "This is not a decent way (for the court) to act in this case."

Attorney Emanuel Bloch, chief counsel for the Rosenbergs, arose to say that there were only two attorneys representing the Rosenbergs, himself and John F. Finerty of New York. Mr. Bloch admitted he had never raised the issue of the applicability of the Atomic Energy Act until it was brought forth by Mr. Marshall and Pyke Farmer of Nashville, Mr. Marshall's associate.

"I'm Fallible."

"We were told you were urged for two months to raise this question," said Chief Justice Vinson.

"I admit that," said Mr. Bloch, "but I've had 35 or 40 lawyers from all over the country after me, all saying they knew exactly the points to raise. I felt our points were stronger. I suppose I was wrong. I'm just a lawyer. I'm fallible."

Mr. Finerty told the court the point at issue was not the death sentence, but the guilt or innocence of the Rosenbergs.

"I'm questioning the conviction, not the sentence," he said. "I think the Rosenbergs are innocent. They have been convicted on deliberately perjured testimony."

"There never was a more crooked district attorney in New York than the one who tried the Rosenbergs," he roared.

Mr. Finerty did not say whom he was referring to, but in New York, State Supreme Court Justice Irving Saypol, who as United States attorney prosecuted the Rosenbergs, said he "nothing to say."

Map A-Spies' Legal Line if Stay Is OKd

The legal line for a new court battle in behalf of the traitors Ethel and Julius Rosenberg was drawn here today in case the U. S. Supreme Court upholds a stay of execution.

Rosenberg lawyers filed in U. S. District Court a motion asking that the judgment and conviction be set aside on grounds suggested by Supreme Court Justice Douglas in his stay.

The attorneys charged that Federal Judge Irving R. Kaufman lacked power to impose the death sentence.

The new motion pointed out the jury did not recommend the death penalty and the indictment had not charged the Rosenbergs' spying was with intent to injure the United States.

Court experts said the motion would be "academic" and ineffective if the Douglas stay was vacated by the high court.

Judge Kaufman and U. S. Atty. J. Edward Lumbard held themselves ready for new developments. Kaufman and his family were under heavy guard because of threats to bomb their Park ave. home.

Federal Judge Sylvester J. Ryan yesterday quickly denied another legal maneuver in behalf of the Rosenbergs. That motion came by mail.

R. Rowland Ritchie, a lawyer in Wichita, Kans., claimed the indictment of the Rosenbergs was "duplicious" — charged more than one crime. Judge Ryan denied Ritchie permission to intervene.

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Sure They Won't Die Today:

Atom Spies Turn Down All Special Privileges

By LEON RACHT

OSSINING, June 19.—Atom spies Ethel and Julius Rosenberg were so confident they wouldn't die today they waved off all privileges usually accorded the condemned. Offered the traditional "last meal" the doomed couple in the death house refused to fill out a special menu sent them by prison officials.

Instead, the convicted

traitors accepted the routine daily breakfast fare which today was tomato juice, oatmeal, toast and coffee. They could have had bacon and eggs or even steak.

Despite their confidence, they could die tonight if the U. S. Supreme Court were to vacate the stay of Justice Douglas, according to Warden Wilfred L. Denno. However, U. S. Marshal William A. Carroll, in charge of carrying out the sentence in the case of the Rosenbergs, said any decision on that score would be made at a conference.

If the Court vacates the stay, Carroll, Denno and representa-

tives of the Justice Department will meet to decide the hour of execution. It could be any time up to 11:59 tomorrow night.

Federal Judge Kaufman specified "the week of June 15."

APPEARS CONFIDENT.

As they did yesterday, the Rosenbergs asked that the death house radio be turned on early, to follow developments in Washington. They were to have died last night until the surprise decision of Justice Douglas upset the schedule.

Death house guards reported the Rosenbergs, on hearing of the Supreme Court delay in announce-

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By LEON RACHT

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ing a decision, took it as a favorable point in their behalf.

The spies got the report by prison radio.

Ethel Rosenberg, often rescribed as the "brains" of the conspiracy in which she and her husband stole and delivered atomic secrets to Russia, appeared the more confident.

She said nothing to matrons attending her, but her attitude was described as more jubilant than on any day since she entered the death house 27 months ago.

Julius, according to guards in the men's wing of condemned cell block was glowering and aggressive. He was more nervous and apparently on edge.

WIRE KEPT OPEN.

The doomed spies have been informed that a telephone wire to the Justice Department would be open until the minute they step into the electric chair.

This was in case either break and confess to their part in the Communist conspiracy which transmitted the atom bomb secrets to Russia.

For the first time since they have been in the death house, the Rosenbergs were permitted to see each other. Separated by a heavy wire mesh, in expectation that they would die last night.

They spent a total of three hours, whispering, while guards stood out of ear shot. Previously, the only times they met was while counsel was present, but as of the moment, all their lawyers are in Washington.

KIN REPORTED NEARBY.

No relatives visited the prison but close kin were reported to be in Croton, a few miles from the prison, sheltered by pro-Communist followers.

The area is where Robert Minor, former Daily Worker has a Summer home, with swimming pool, butler and maids while he fought the "capitalistic system." He is now a fugitive, escaping after he was convicted in the Communist conspiracy trials.

The Rosenbergs are professed atheists, but it was disclosed yesterday that they have been visited weekly by a prison rabbi, the Rev. Irving Koslowe of Mamaroneck.

The Rabbi, in response to a telephone call from his reported, said he had been seeing the couple every week but declined comment on whether they accepted his religious counsel.

He also refused to say whether he would walk with them to the electric chair.

CALLS FROM ABROAD.

Sing Sing has been swamped with telephone calls since the Douglas decision. Many have been from foreign Communist newspapers wanting to know the status of the case. Warden Denno has spoken to these correspondents through French, Italian and German interpreters.

One call from the Russian zone in Germany was apparently monitored by the Russians. Denno said the talk was through a German interpreter who was translating from a "strange language."

While the executions of the spies hung in the balance, preparations were proceeding for a "spot" electrocution.

Denno said that everything was in readiness, pending the decision of the Supreme Court.

STREETS GUARDED.

Joseph Francell, official state executioner, was in a furnished room under protection of Ossining police. He arrived early last night. Electricians had tested the chair and the switches and pronounced them fit.

Security measures have been taken by Ossining Police Chief Spencer Purdy to put down any threatened Communist demonstrations in the event the Rosen-



TO PULL SWITCH . . .
Joseph Francell (above), official State executioner at Sing Sing prison at Ossining, N. Y., will snuff out the lives of Julius and Ethel Rosenberg if and when the Supreme Court so decides. International News Photo.

bergs are put to death. Key city streets have been barricaded and more motorcycle police have been added.

Chief Purdy, a soft spoken, gentle man, was cited for his action in preventing violence in the Red demonstration staged in his jurisdiction last Christmas.

EXTRA DEPUTIES ADDED.

State Troopers from the Hawthorne barracks have been added to the security forces. A detachment of 12 troopers with sidearms are stationed outside the prison barricades.

A hundred deputy sheriffs have been mustered in and ordered to stand by should there be any outbreak of violence.

All will be under command of U. S. Marshal Carroll and his deputy, Thomas Farley, who will direct the double execution with Denno carrying out their orders.

Sing Sing Tense, but Spies Calm Waiting for Word From High Court

By DAVID SNELL and
PAUL MESKIL.
Staff Writers.

OSSINING, June 19.—A brooding, nerve-cracking suspense hung over the gray walls of Sing Sing Prison today as the world waited to learn the fate of atom spies Julius and Ethel Rosenberg.

The electric chair has been readied and tested. The state executioner, Joseph Francel, is standing by. With all leaves canceled, all 290 prison guards are either on duty or on call. The Ossining police force also is on an emergency basis and extra squads of state troopers prowled the city's tension-taut streets.

Meet Again.

The calmest players in the drama are the Rosenbergs themselves.

Warden Wilfred L. Denno has

granted the condemned spies permission to meet again this morning. As they did yesterday for two 90-minute periods, they will sit facing each other through a heavy wire screen with a guard and a matron in attendance.

Will They Talk?

The couple celebrated their 14th wedding anniversary in the death house yesterday and received the most precious anniversary gift—at least another day of life.

They learned about 7 p.m. that the Supreme Court had recessed until noon today without ruling on the stay of execution granted by Justice William O. Douglas.

If the court overrules Justice Douglas today, the electrocutions probably will take place tonight or tomorrow unless the Rosenbergs break their long silence and tell what they know of the Communist spy network to which they belonged.

A direct telephone line is being kept open between the death house and the Justice Department in Washington, so that a last-minute Presidential reprieve will be possible if the Rosenbergs decide to talk. It seems unlikely that they will do so, however.

Wooden barricades were thrown up across all approaches to the prison yesterday and manned by heavily armed guards and state troopers. Local police also were alerted in case of any Communist demonstration.

Rabbi's Visit.

As soon as the latest delay was announced, the barricades were taken down.

Rabbi Irving Koslowe, the prison's Jewish chaplain, visited the condemned couple yesterday evening. He told reporters that they showed no particular emotion regarding their latest escape from the electric chair.

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Rosenbergs Ask Another Get-Together

Ossining, June 19 (U.P.)—Julius and Ethel Rosenberg their lives hanging precariously in the balance, requested another get-together today in Sing Sing prison's death house.

They met yesterday—their 14th wedding anniversary—for three hours in the woman's wing of death row where Ethel Rosenberg is the only occupant. They were separated by a heavy wire mesh screen and two guards stood at their elbows.

This morning, before they met, they turned down an offer of anything they wanted for breakfast. They took instead the regular prison fare—orange juice, oatmeal, toast and coffee. Prison attendants were solicitous, they seemed confident the couple would go to the chair tonight.

However, their fate rested with the Supreme Court which was meeting to consider an unprecedented stay of execution granted by Justice William O. Douglas.

U. S. Marshal William O. Carroll, who is assigned to carry out the execution for the Government, said the executions would go ahead tonight if the Supreme Court action permitted even if it came within a few hours of midnight.

Carroll came to this famed prison the banks of the Hudson River yesterday, apparently confident then that the executions would go off as scheduled at 11 p.m. yesterday. But the Supreme Court halted them.

Carroll conferred today with Warden Wilfred Denno on what time the execution would take place if the Supreme Court, during the day, should hand down a decision overruling Justice Douglas.

If no decision should be forthcoming today, Carroll said, it was not certain when the execution would take place.

Meanwhile, prison guards kept up a barricade before the parking plaza immediately in front of the prison gates. And city police were prepared to block off Hunter St., the only access road to the prison, if any demonstrating sympathizers of the Rosenbergs would come here.

However, the only ones who maintained a constant vigil outside the prison gates were photographers and newsreel men. Almost 100 of them spent yesterday outside the prison guard barricade and they were on hand again today on what may be the last day of life for the Rosenbergs.

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N.Y. BROOKLYN EAGLE

DATE JUN 19 1953

FORWARDED BY N. Y. DIVISION

Late News

POLICE GUARD ROSENBERG PICKETS—THEY NEED IT

Washington, June 19 (AP)—Thousands of men, women and children plodded before the White House last night and early today grimly entreating President Eisenhower to spare Julius and Ethel Rosenberg from the electric chair.

Between 2,000 and 3,000 pickets who came here by special train from New York, Newark and Philadelphia were given heavy police protection as they exercised an inherent American right to express their feelings at the seat of government.

The mass demonstration began at 6 p.m. and at 11:01 p.m.—the hour when the convicted atom spies would have been dead had it not been for the execution stay granted by Associate Justice William O. Douglas. Then most of the pickets returned to their special train and went home. A hardy group of about 25 continued the vigil throughout the night.

The pickets were well organized and thoroughly disciplined by a squad of lieutenants who raced up and down the line barking orders for everything from coffee breaks to visits to the comfort stations across Pennsylvania Ave. from the White House.

Walking two and three abreast

the pro-Rosenberg forces paraded in a huge ring around the block occupied by the Treasury. They filled the sidewalk on the Pennsylvania Ave. side of the Executive Mansion, and spilled over to a third picket line in front of the old State Department Building.

A much smaller group—less than a dozen—of anti-Rosenberg pickets marched at one end of the White House block, carrying home-made placards saying: "Kill the Dirty Spies and Ship Their Bones to Russia," and "Kill the Stinking Rotten Reds."

A heavy stream of automobile traffic circled slowly around the area. Curses exploded frequently from the passing cars as the pickets were urged to "go back to Russia." Police would not permit anti-Rosenberg demonstrators to mingle with the organized group.

A bright green station wagon inched along in the traffic. Mother and father rode up front, the kids in the back. A little girl of about seven stuck her head of gold in ringlets out of the back. She surveyed the Rosenberg pickets with a giggle, then held her nose.

"Kill 'em, kill 'em," she piped. "They stink."

A crippled woman with a tangled mop of gray hair limped along under a sign pleading, "Mercy, Mr. President." Behind her marched two blind pickets, tapping out their route with canes.

The lights of the White House gleamed behind the stout iron fence and small police huts at each gate. Mrs. Eisenhower likes to keep the curtains up to give the place a cheerier look, but last night the shades were down.

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Late News

3 Judges Hold Balance of Power

Washington, June 19 (U.P.) — Justices Stanley F. Reed, Tom C. Clark and Sherman Minton. Justice Hugo L. Black has voted consistently for review of the Rosenberg case and Justice William O. Douglas granted the stay of execution which was in dispute before the court today.

The Rosenberg case has been before the high tribunal in various form on six previous occasions. So far as can be deduced from the sometimes-cryptic court announcements, the following four justices have voted consistently against intervention in the case:

Chief Justice Fred M. Vinson,

Justices Robert H. Jackson, Felix Frankfurter and Harold H. Burton did not publicly dissent from any of the past court actions denying review of the case. But they did signify last Monday that they wanted hearings on the Rosenbergs' appeal for a stay of execution.

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A-SPY

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Late News.

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EXECUTIONS TONIGHT IF STAY ENDS

Supreme Court Can
Overrule Douglas
Or Delay Decision

Washington, June 19 (UP)—Atomic spies Julius and Ethel Rosenberg, spared from execution on their wedding anniversary, remained in the shadow of the electric chair today as the Supreme Court went into the second day of an extraordinary session on their fate.

With the nine black-robed justices, who deliberated secretly for three hours yesterday, scheduled to reassemble in open court, the foremost line of speculation was that the high tribunal would hand down its decision today. But this was by no means definite. The justices could retire to their private conference chamber again for further deliberations, or they could call for further oral arguments from Government and defense attorneys.

The issue before the court was whether to continue or cancel a stay of execution granted Wednesday by Justice William O. Douglas.

The New York couple, convicted in 1951 of betraying U. S. atomic bomb secrets to Russia, was scheduled to die in Sing Sing Prison's electric chair at 11 o'clock last night—their 14th wedding anniversary.

Barely four hours before they were to walk the "last mile" to the death chamber, they learned from a prison radio broadcast that the Supreme Court had postponed a decision. That automatically kept the reprieve in effect overnight. Guards said the condemned couple "appeared overjoyed."

Warden Wilfred H. Denno tentatively rescheduled the execution for tonight, pending the court's decision. The trial court fixed this week as the time of execution and prison authorities may change the date and hour at will up until midnight Saturday without a new court order.

Asked if the execution might be postponed until Saturday to avoid having it come on the Jewish sabbath which begins at dusk Friday, Denno said:

"As far as I am concerned, that has nothing to do with it."

A court decision against the Rosenbergs would leave them with one other hope—Presidential clemency. Mr. Eisenhower refused once, on Feb. 11, to intervene. Administration sources said there is no reason to believe he will change his mind unless the Rosenbergs change their mind about talking to the FBI. Protesting innocence, they previously have

Continued on Page 2



CLEMENCY NOT THEIR LANGUAGE—Action flares in front of White House as two young men who had been picketing the clemency-for-the-Rosenbergs pickets, rushed in, grabbed some of the opposition's signs and tore them up. William Thayer, left, and Arthur Malhan are shown destroying the signs. United Press Telephoto

Continued from Page 1

refused to add any light on the Soviet spy ring they were convicted of aiding.

Rosenberg sympathizers, ranging in political coloration from the readers of the New York Communist Daily Worker to Cardinals of the Roman Catholic Church, continued to bombard the White House with pleas for mercy.

The most spectacular demonstration, well advertised in advance by the Daily Worker, brought 2,000 Rosenberg sympathizers here late yesterday by special trains from New York, New Jersey and Philadelphia. For five hours, from 6 to 11 p.m., they picketed the White House under the watchful eye of a reinforced police detail. A smaller group continued the patrol through the night.

As the pickets walked before the Executive mansion with printed placards proclaiming the Rosenbergs' innocence and demanding clemency, they were picketed by an apparently unorganized group of dissenters who with home-made signs urged the President to let the Rosenbergs die and send their supporters "back to Russia."

Twenty blocks away from the shuffling picket line, the real life-and-death drama was being played out in the hushed marble hall of the Supreme Court.

Six times before the Rosenberg case had come before the high tribunal, and six times it refused to intervene. Three of the turndowns came in rapid succession last Monday, on the last day of the court's regular Spring term.

Then, after the court had recessed for the Summer and several of its members had left town, Justice Douglas exercised the right of an individual justice to grant a stay of execution. He said defense lawyers had raised a "substantial new question" that ought to be threshed out in court before the Rosenbergs' lives were "snuffed out."

Question Before Court

The question was whether the Rosenbergs should have been sentenced under the 1946 atomic control law, rather than under the 1917 espionage law. Both provide for the death penalty, but the later law says it may be imposed only on recommendation of the jury. There was no such recommendation for the Rosenbergs.

Acting Solicitor General Robert L. Stern argued for the Government that the atomic law could not apply because (1) the Rosenberg conspiracy covered theft of many kinds of military secrets besides the A-bomb, and (2) the overt acts of spying charged against them all occurred during World War II, before the atomic law was passed.

Defense attorneys argued that the overall conspiracy charged against the Rosenbergs continued into 1950, according to the prosecution's own case, and the atomic law therefore should have applied.

Douglas and Justices Robert M. Jackson, Felix Frankfurter, Tom C. Clark and Hugo L. Black peppered the opposing attorneys with questions, designed to clarify technical legal issues involved.

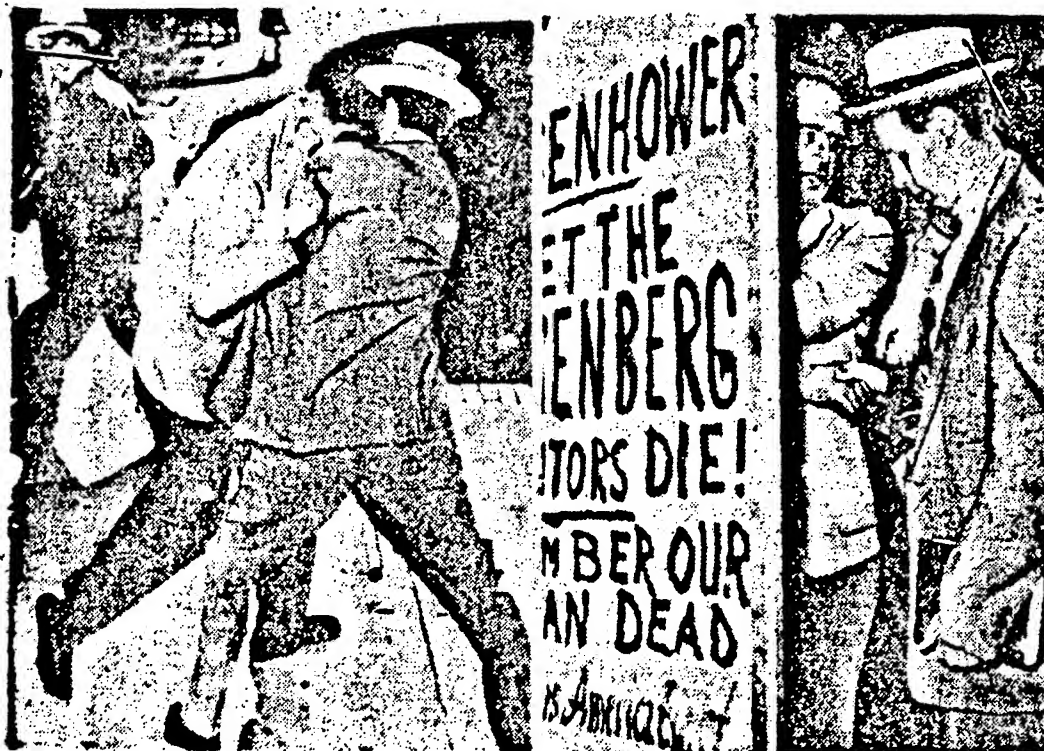
Then the justices retired to their private conference chamber. At 3:52 p.m. to begin secret deliberations. At 6:25 p.m. Justice Harold H. Burton announced:

"The court will stand recessed until 12 noon tomorrow."



United Press Telegram

PICKET VS. PICKET—At White House, pickets demanding the death penalty for Julius and Ethel Rosenberg formed a picket line near the pickets seeking mercy for the convicted atom spies. The double line above walks its beat under the eye of a policeman watchful for flares of violence.



United Press Telephoto

ANYWAY, HE'S AGIN 'EM—When Lor Daly, American Firster, picketed the Federal Building in Chicago with a sign urging the President to let the Rosenbergs die, he was suddenly attacked by Walter Klink, wearing hat. Policeman broke it up and, while they were waiting for the wagon, it dawned on Klink that he had mistaken the sign and was on the same side as Daly. Head down, he shakes hands with Daly at right.

High Court Ruling Today

Decides

On Life or Death

for Rosenbergs

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Right Edition

By **GEORGE TROW**

The Supreme Court convened for the second day of its extraordinary special term today in an atmosphere of mounting suspense to announce a decision which holds the fate of atom spies Julius and Ethel Rosenberg.

But only the nine justices knew whether the last legal word would be said or whether more arguments would be asked.

Postponement of the decision yesterday saved the Rosenbergs from a wedding anniversary death in Sing Sing's electric chair barely four hours before the 11 p.m. execution time.

Warden Denno of Sing Sing tentatively rescheduled the execution for tonight pending the court's decision.

That decision was whether the whole court should vacate or sustain the stay of execution granted by Justice Douglas on Wednesday.

Justice Douglas granted his stay on the ground that there was doubt as to whether the provisions of the Atomic Energy Act applied to the case, rather than the General Espionage Act, under which they were convicted.

The Atomic Energy Act of 1946 provides that no death sentence may be imposed without a recommendation by the jury. There was no such recommendation in the Rosenberg case.

If the court should decide that the Atomic Energy Act does, in fact, apply to the case the death sentence imposed by Federal Judge Kaufman would be illegal.

During argument yesterday Justice Jackson remarked, "The probabilities are that if the Atomic Energy Act covers this case, the whole case is out."

This raised the question that if the sentences passed under the General Espionage Act were illegal, then so were the indictments.

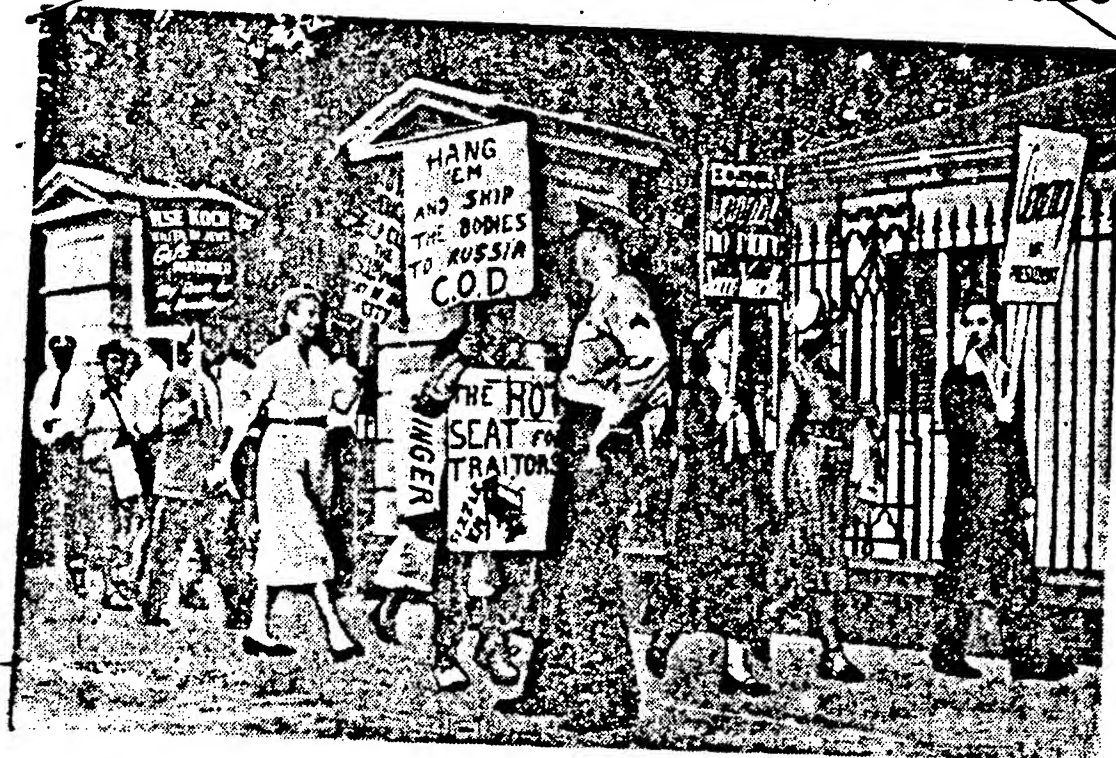
Acting Solicitor General Stern, arguing the case for the government, indicated he didn't think the government would have much of a case under the Atomic Energy Act.

"The assumption of the defense is that the case could have been brought under the Atomic Energy Act," he said. "If it had been, the case would have been thrown out so quickly the government would have been a laughing stock."

The justices appeared, too, to be in doubt as to whether the case should go back to the lower

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Counter Pickets March at White House



Two sets of pickets, carrying signs for and against the Rosenbergs, march outside White House under watchful eyes of police. A ruling by the Supreme Court is expected today.

Associated Press Wirephoto

Continued from Page 3

courts for a final decision on the fundamental issue.

Emanuel H. Bloch, the Rosenbergs' attorney, argued that the applicability of the Atomic Energy Act should be decided first by the District Court, then by the Court of Appeals as outlined by Justice Douglas in his stay order.

But Justice Jackson said: "It is a pure point of law. Why shouldn't we stay here and decide it and tell the lower courts what to do instead of asking them to tell us."

This may have been one of the questions argued by the justices during the three hours they debated in private after the public session yesterday.

This session came to a close when Justice Burton ended the suspense by mounting the bench alone and announcing: "The court will stand recessed until 12 noon tomorrow."

Another point was raised by Justice Black. He asked whether the court had the right to vacate the stay granted by Justice Douglas. Stern and John H. Finerty, associate defense counsel, agreed that the justices had such a right.

Hits Justice Dept.

Finerty assailed the Justice Dept. for having "permitted a fraud on this court to happen" by convicting the Rosenbergs on testimony known by the prosecutors to be perjured.

"There never was a more crooked District Attorney in New York than the one who tried the Ros-

enbergs," said Finerty. Irving H. Saypol, now a State Supreme Court Justice, was U. S. Attorney in the case.

Justice Clark reprimanded Finerty and Saypol said later he would "stand by the verdict of the jury."

At one point Chief Justice Vinson defended the right of Justice Douglas to issue a stay on his own authority. The Chief Justice remarked that he was perfectly within his rights.

This could have been an indirect reply to the impeachment resolution offered in the House against Justice Douglas by Rep. Wheeler (D-Ga.). The resolution has been referred to the House Judiciary Committee where it is expected to die.

2,000 Picket White House

The end of the suspense-filled day in Washington was marked by a demonstration of more than 2,000 pickets in front of the White House demanding that President Eisenhower exercise clemency.

There were macabre touches to the demonstration. A small boy in a Cub Scout uniform struggled with a placard which said, "The electric chair can't kill the doubts in the Rosenberg case."

A little blond girl about seven, leaned out of a station wagon,

held her nose and shrieked, "Kill 'em, kill 'em. They stink."

The shades were down in the White House.

Even while arguments proceeded before the high court, legal action continued in U. S. District Court here.

Arthur Kinoy, acting for the Rosenbergs' counsel, filed a motion asking that the judgment and conviction of the couple be set aside along lines suggested by Justice Douglas. This was regarded as the start of a new legal battle if Justice Douglas's stay should be upheld.

Meanwhile, the furor continued abroad over the Rosenberg case. Vatican Hits Red Campaign

The Vatican radio, in a special broadcast in several languages, drew a sharp line between Catholic appeals for clemency and those made by Communists.

It said the Communists' "usual, organized and noisy campaign" had served only to arouse the suspicion of honest men interested in the case.

Leaders of the Anglican, Jewish, Presbyterian, Methodist and Congregational churches and, of the Churches of Christ in Sydney, Australia, joined in signing a cable to the President asking for clemency.

Traitors, They Now Seek Martyrdom

Less Fanatic Cohorts Trapped Them Greenglass Story Convicted Them

By DAVID SNELL,
Staff Writer.

Almost from the moment their names burst upon the consciousness of a horrified American people, Ethel and Julius Rosenberg have demonstrated that they are imbued with a sense of destiny.

This once-obscure couple have been called upon twice to perform extraordinary tasks in behalf of the world Communist conspiracy.

The first task was to transmit to the Soviet Union vital secrets of the atomic bomb.

Thanks to Ethel and Julius Rosenberg—and to others who took part in the theft of atomic secrets—Russia now possesses the atomic bomb.

Indeed, this circumstance may well have tipped the balance of world power in favor of the Communist orbit.

The second extraordinary task assigned to the Rosenbergs is to give up their lives in the service of the vast global Communist propaganda machine.

At this writing there is no sign that in their final hour they will weaken. Imbued with the sense of destiny, they seemingly approach death with an almost religious zeal.

Began in 1930.

Mark well their names. You will hear them long after the Rosenbergs have paid in full.

And yet—but for a chain of circumstantial quirks and the resulting confessions of men less dedicated than the Rosenbergs—the world might never have heard of these names.

The chain had its beginning on a bleak February day in 1930, when Scotland Yard arrested the brilliant British atomic scientist, Klaus Fuchs. He had been present when the Atomic Age was ushered in at dawn on a New Mexico desert. He was a Communist spy.

Greenglass Talks.

The investigation moved across the Atlantic to America, to a diminutive Philadelphia chemist named Harry Gold. He likewise pleaded guilty to spying for the Russians—and was sentenced to 30 years imprisonment. His confession led the FBI to still another conspirator, David Greenglass, a \$75-a-week New York machinist. And Greenglass talked.

Three weeks after the Communists of North Korea had launched their murderous attack upon the Republic of Korea, the FBI search led to Julius Rosenberg, a brother-in-law of Greenglass. A month later they arrested Ethel Rosenberg, Greenglass' sister.

The mustached, bespectacled, owl-like Rosenberg, now 35, was a partner in a firm dealing in war surplus goods. He and his tiny, 98-pound wife, Ethel, and their two sons, Michael, now 10, and Robert, 6, lived in a modest \$51-a-month apartment in New York's Knickerbocker Village.

Charged Conspiracy.

A federal grand jury brought three superseding indictments. The last one named the Rosenbergs, Greenglass, Anatoli Yakovlev, a former Russian vice consul in New York, and Morton Sobell as conspirators in a spy plot.

Sobell was a college classmate of Rosenberg and had served in the Navy as a radar expert. He was to stand trial with the Rosenbergs and receive a prison sentence of 30 years. Greenglass, as a reward for cooperation with the government, was to receive a lesser sentence of 15 years. Yakovlev was out of reach. He had slipped back to Moscow.

The indictment did not charge

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treason, but a conspiracy to commit espionage for a foreign power, beginning late in the period of World War II and continuing to 1950. The indictment was brought under a general espionage statute of 1917.

The trial lasted from March 8, 1951, to March 29. Members of the conspiracy took the stand to unfold a chilling story of the stripping of this nation's most precious secrets.

The most dramatic testimony came from Greenglass. Looking his sister and brother-in-law squarely in the eye, he denounced them as betrayers of their country. It was his testimony that sealed their fate.

He said they besought him to provide data on the A-bomb while he was an Army sergeant at Los Alamos.

The jury deliberated for 12 hours to reach its verdict: guilty.

On April 5, 1951, the trial judge, Irving Kaufman, strode slowly to the bench in the big courtroom in the U.S. Court House in New York's Foley Square. The Rosenbergs were brought forward for sentencing.

'Deliberate Murder.'

As he began to speak in slow, measured sentences, spectators could hear church bells outside on the square, tolling the noon hour.

"Only the Lord can find mercy for what you have done," said the judge. "... Plain deliberate murder is dwarfed in magnitude by comparison with the crime you have committed. ..."

The U.S. Court of Appeals upheld the verdict and sentence. Time and again the Supreme Court refused to intercede. President Eisenhower turned down pleas for executive clemency. But right up to the last defense attorneys were seeking stays and to have the verdict and sentence set aside.

Today, as the end drew near, Julius and Ethel Rosenberg were in the same cells in the Sing Sing death house which they have occupied for two years.

Driven by the strange demon of communism, they were still defiant. If the execution goes through as scheduled, they will have exhausted the full measure of judicial review. They will have kept their self-made appointment with destiny. They will have died as traitors to their own country and heroes to another.

The Key Figures In Rosenberg Case

Following are brief sketches of the principals in the Rosenberg case:

ETHEL AND JULIUS ROSENBERG. Ethel, now 37, and Julius, 35, are the first traitors to be executed in this country during peacetime and the first married couple to die in Sing Sing. Children of Jewish immigrants born in East Side tenements, both became zealously non-Jews. After their convictions, however, they tried to cloak themselves behind their religions they discarded.

Julius, son of a respected garment worker, entered City College at 16 as an engineering student and there joined the Communist party. Ethel went to public schools, became a stenographer and joined the party in 1934. Working together on party assignments, they married in 1939 and moved to Knickerbocker Village. They had two children, Michael, 10, and Robert, 6.

DAVID GREENGLASS. David, Ethel's brother, was seven years younger than the sister he idolized. When he was 13, she began feeding him Communist literature. On the day Ethel and Julius married, David, as a wedding present, joined the Young Communist League.

Rejected by the Navy because he was color-blind, David was drafted into the Army when the war came. Eventually he was assigned as a shop machinist to the Los Alamos, N. Mex., atomic bomb center. In Nov., 1944, it was Ethel and Julius who told David what he was working on, having learned the secret from their Russian superiors. They persuaded him to pass on sketches and other information. With cash obtained from the Russians, they made it possible for David to bring his wife, Ruth, to live in Los Alamos.

By January, 1945, Greenglass, on furlough, brought Julius the design of the ultra-secret detonating lens which helped trigger the atom bomb. Then Julius gave him half of a Jell-o box top with which David later identified a stranger who turned out to be Harry Gold, another member of the spy ring.

After the war, as the net closed in, Ethel urged her brother to flee to Russia via Mexico with \$5000 supplied by Julius. His wife was suffering from severe burns and they had an 8-day-old baby. He decided to stay and face the music. The Rosenbergs got passport pictures for themselves and their boys. The FBI prevented their escape.

Greenglass, the principal witness against his sister and brother-in-law, confessed and drew a 15 year sentence.

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FEDERAL JUDGE IRVING R. KAUFMAN. Then 40-years-old and the youngest member of the Southern District bench. Judge Kaufman in March 1951 drew as an assignment the country's most famous postwar espionage trial. A mild-spoken, deliberative man, he presided with dignity, ruled out fireworks and won praise from defense counsel.

Was Boy Prosecutor.

After the jury voted guilty he prayerfully weighed the punishment and decided entirely on his own responsibility, without seeking a recommendation from the government. His decision was death because, as he said later, the Rosenbergs were "on the top rung" of the Communist espionage conspiracy and their crime was "worse than death." The decision, of course, made history.

In that same court 15 years earlier Irving Robert Kaufman was known as the boy prosecutor. Born in New York June 24, 1910, he went to De Witt Clinton High School and entered Fordham at 16, the university's youngest student until then. He graduated from Fordham Law School before he was 21 and had to wait six months before he could take his bar examinations.

Two and a half years later he entered the United States Attorney's office and moved from there to Washington. Among other things he investigated violations of the lobby law, prosecuted Noel Scaffa, Charles Y. Bob and Justice Martin T. Manton, and turned up that master fraud, F. Donald Coster, at the time head of the gigantic McKesson & Robbins drug firm.

Judge and Helen Kaufman have three sons, Robert, 14, and twins, James and Richard, 11. He was sworn in as a federal judge four years ago at the age of 39.

IRVING H. SAYPOL. In the summer of 1950 United States Attorney Saypol was faced with a momentous decision. It was whether or not to seek an indictment for conspiracy to commit espionage against Julius and Ethel Rosenberg. The conspiracy involved the transmission of atom bomb secrets to Russia.

The choice was his alone. An indictment, followed by acquittal, could have hurt America's prestige immeasurably; it would have furnished an endless supply of grist for the Communists' world propaganda mill. The U.S. Attorney chose to go ahead, prosecuted the case himself and convicted the Rosenbergs.

Born at 30 Chrystie St., Sept. 3, 1905, he was graduated from Stuyvesant High and Brooklyn Law School; practiced in the city

Law Department; became an Assistant Corporation Counsel; later built up an extensive private practice and was named Chief Assistant U.S. Attorney in 1945.

His Famous Cases.

Among cases Mr. Saypol prosecuted were the textile black market, which paid fines of \$1,000,000; Richard H. Crowe, the bank officer who absconded with \$1,000,000, and Serge Rubinstein, the draft evader. More recently, Communists and spies became his targets. He supervised the trials of Judy Coplon and Alger Hiss and personally prosecuted William Remington, Abraham Brothman and, finally, the A-bomb spies.

Married to Adele Kaplan, a co-ed at Brooklyn Law, in 1925, he has three children. He was elected a State Supreme Court Justice in 1951 with the high indorsement of the bar and many judges and other public figures. The Communists called his elevation to the bench "an insult to the American people."

EMANUEL H. BLOCH. Chief of the defense, it was Emanuel H. Bloch who kept the Rosenberg case—and the Rosenbergs—alive for more than two years. A debater since he was 13 and an excellent speaker, Mr. Bloch, by his resourcefulness, has won a reputation even among his court opponents as an exceptionally able lawyer.

His trial manner and factual approach, his avoidance of hysteria and judge-baiting, set him apart from the obstreperous defense battery in the trial of the 11 top Reds.

Mr. Bloch has represented Communists before—Harry Rosen, who refused to cooperate in the Alger Hiss inquiry, and Lt. Sheppard Carl Thierman, who stood court-martial for holding an Army commission while a member of the Communist party.

Whether he is destined to become the future legal mouthpiece of the Communists is yet to be seen. There can be no doubt that Mr. Bloch put everything he had into saving the A-bomb spies.

Chronology of Case

The wheels of justice turned slowly for Julius and Ethel Rosenberg. Following is a chronological account of the historic spy case that will reach its culmination in the death house of Sing Sing Prison:

July 17, 1950—Arrest of Julius Rosenberg.	Kaufman's order for stay of execution becomes effective.
Aug. 11, 1950—Arrest of Ethel Rosenberg.	Feb. 11, 1953—President Dwight D. Eisenhower denies executive clemency.
Aug. 17, 1950—First indictment filed.	Feb. 16, 1953—Judge Kaufman fixes week of March 9, 1953, for execution.
Oct. 16, 1950—Defendants Julius and Ethel Rosenberg plead not guilty.	Feb. 17, 1953—Court of Appeals stays execution pending decision on new motion to Supreme Court to review case.
March 6, 1951—Trial begins before Federal Judge Irving Kaufman and a jury.	May 25, 1953—Supreme Court denies motion. Vacates stay of execution.
March 29, 1951—Jury finds Rosenbergs guilty.	May 26, 1953—Supreme Court Chief Justice Vinson denies appeal for stay of execution.
April 5, 1951—Judge sentences them to death.	June 2, 1953—Court of Appeals denies motion for mandamus to require re-sentencing.
Feb. 25, 1952—Conviction upheld by U.S. Court of Appeals.	June 5, 1953—Court of Appeals denies motion for stay pending decision on new motion to Supreme Court.
April 8, 1952—Petition for rehearing denied by Court of Appeals.	June 8, 1953—Motions for new trial denied by district court.
Oct. 13, 1952—U.S. Supreme Court refuses to intervene.	June 11, 1953—Court of Appeals upholds lower court's denial of new trial.
Nov. 17, 1952—Supreme Court denies petition for rehearing.	June 15, 1953—Supreme Court refuses to stay execution.
Nov. 21, 1952—Order on mandate signed, fixing date of execution during week of Jan. 12, 1953.	June 17, 1953—Supreme Court Justice Douglas grants stay.
Nov. 25, 1952—Stay of execution denied by district court.	June 19, 1953—Supreme Court vacates stay.
Dec. 10, 1952—Stay of execution denied by district court.	
Jan. 8, 1953—Stay of execution denied by Court of Appeals.	
Jan. 10, 1953—Petition for executive clemency filed with President Harry S. Truman. Judge	

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Reds Used Sentence to Spark Vicious 'Hate America' Campaign

By **FREDERICK WOLTMAN**,

Staff Writer.

The execution of Ethel and Julius Rosenberg will bring a climax to one of the most virulent hate-America campaigns undertaken by the world Communist propaganda machine in a generation.

In some ways it far overshadows the famous Sacco-Vanzetti case of the 1920s, when the electrocution of two philosophical anarchists in Massachusetts set off riots in many capitals in the world.

Then no issue of communism was involved and indignation over the death penalty came largely from honest, non-Communist sources, although the Reds capitalized on it to the fullest.

Used as Red Weapon.

But the Rosenberg case was seized by the international Red network as a weapon of the cold war.

During the trial of the A-bomb spies in 1951 the Communist press was silent. The Daily Worker did not mention it until after the jury convicted. The guilty verdict rated but three paragraphs.

Then the death sentence. And somewhere along the line the masterminds of Red strategy decided here was an issue on which to latch, and, more important, one which could endanger the world-wide espionage machine.

Overnight the Rosenbergs became "heroes," "martyrs to a plot against Jews," "victims of Washington's war hysteria." The trial became a "frame-up," a "judicial outrage," a "blot on American justice."

A few sincere people questioned the sum of the young couple. Others, including clergymen, opposing capital punishment, favored clemency. Still others, in petitions to the White House, held death to be too severe a punishment, especially for a woman. A sense of mercy inspired the Pope to inform the White House he had received numerous requests to intervene in behalf of the Rosenbergs.

Reds Financed Plea.

But the backbone of the pro-Rosenberg sentiment was Communist-organized, Communist-inspired or Communist-exploited.

The hub from which this highly organized venture spanned out across the oceans was the so-called National Committee to Secure Justice in the Rosenberg Case, of 1050 Sixth Ave.

This barely concealed front financed defense moves; sent "clemency trains" to Washington; printed transcripts of the trial record and sold thousands at \$10 a copy; ran ads, sometimes full-page, in Washington, Cleveland, St. Louis, Chicago and other papers. By last March it had dis-

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Sign-carrying demonstrators seeking clemency for the condemned Rosenbergs parade across the street from the White House.

tributed 6,500,000 pieces of literature.

From Japan, Red China, Brazil, Italy, Belgium, England, France, Israel and nations elsewhere it rallied protests against the "savage sentence."

"Let the Rosenbergs live!" began one of the committee's press handouts. "That's what the entire body of workers at the Fertilizer and Chemical Works in Haifa, Israel, petitioned President Truman today."

Exploited Rosenberg Case.

Another featured a criticism of "capital punishment for political offenses" which, according to the committee, "was received today from the Duke of Bedford, Woburn, Bucks, England." (The duke was not further identified.)

The committee fed out blatant Soviet propaganda. One free-the-Rosenbergs demand from "14 (Red) Chinese people's organizations" claimed the case against the atom secret spies was "manufactured" by the American government to "promote anti-Soviet . . . war hysteria" and "suppress the growing American peace movement."

Such pronouncements were, naturally, played up in the Communist press throughout the world.

The committee soon focused the spotlight of its worldwide apparatus on Federal Judge Irving R. Kaufman, who presided at the trial and pronounced the death penalty.

In two years of organized abuse, the Communists tried to make him out as the real culprit in the case.

Defense appeals contended the grave, conscientious jurist had entertained "personal hostility" toward the Rosenbergs.

Ignore Praise of Judge.

Completely ignored were the tributes which the Rosenbergs' own attorney, Emanuel H. Bloch, paid Judge Kaufman in his summation.

The judge, said Mr. Bloch then, treated the defense lawyers with "the utmost courtesy" and presided "with that dignity and that decorum that befits an American trial."

"The court," as he summed it up, "conducted itself as an American judge."

In spite of these eulogies, the Communists have decreed that the name of Irving R. Kaufman shall live in infamy.

Once in a while their save-the-Rosenbergs strategy gets into the realm of the ridiculous. As when the Daily Worker last week announced somberly in a four-column headline:

"French Writers Ask Queen Elizabeth to Help Save Lives of Rosenbergs."

But mostly it's a grim business. And, so far as world communism is concerned, the Rosenbergs served their purpose.

Bob Considine Reports:

Wait for Rosenbergs to Talk-As Doom Draws Near

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Afternoon Edition

[Noted reporter Bob Considine is scheduled to be one of three news persons permitted to witness the executions of Julius and Ethel Rosenberg.]

By BOB CONSIDINE, International News Service Staff Correspondent

Julius and Ethel Rosenberg, convicted atom spies about to be electrocuted for what the trial judge and President Eisenhower called a crime worse than murder, will not be alone in their final minutes before they are jolted into eternity.

If they choose, they can have the comfort of a prison chaplain, though neither has shown any religious interest since entering the death house.

But whether they choose or not, there will be a Government man near them, even as they are seated in the ghastly chair and the macabre appliances are fastened to them.

He will be waiting—as government men have been waiting since the Rosenbergs were arrested in June, 1950—for them to “sing.”

If either drops the iron reserve that has enabled both to rebuff repeated attempts by Department of Justice men to get them to speak out and implicate others in the atomic spy plot, a remarkable machinery will go into action.

‘OPEN’ PHONES.

It will be a machine that, at first, weighs the content and importance of what they say. If it finds it important enough, it will then activate one of the most dramatic stays in the history of American jurisprudence.

The Justice Department was shy today about discussing its plans for the last hours and minutes of the lives of the Rosenbergs.

But this much was learned: There will be “open” phones from the Sing Sing death house to the office of Attorney General Brownell in Washington and, probably, to the Office of U. S. Attorney for the Southern District of New York, J. Edward Lumbard.

There must have been a time during their lives when the Rosenbergs wondered aloud,

“Wonder what we’ll be doing on our 14th wedding anniversary?”

1ST TO DIE AS SPIES.

That is Thursday night, and they will be dying—the first people ever to die on a charge of espionage handed down by a U. S. civil court—unless they talk.

If they talk, a tremendous responsibility presumably will fall upon U. S. Marshal William A. Carroll, whose job it is—as an employee of the Department of Justice—to carry out Judge Irving Kaufman’s ruling that the pair must die “during the week of June 15.”

A former U. S. attorney who worked on the conviction of the Rosenbergs told this reporter today:

“The Rosenbergs will have to do more than implicate some co-conspirators who are now



CAN REPENT . . . Julius and Ethel Rosenberg (above) will have a chance to talk up to the last minute before scheduled execution.

'safely behind the Iron Curtain. If they want to save their lives.'

If it develops that they do indeed, name names of current Soviet spies, it is likely the electrocution, set for midnight, will be postponed until the Attorney General is reached by phone and gives a decision.

The assumption is that Brownell will consult with, among others, Lumbard, while the weighing of the worth of the "song" takes place.

However, Brownell, as Carroll's boss, legally can delay the execution only until Saturday midnight.

Judge Kaufman, who also is expected to remain near a phone as the hour of the execution of his sentence nears, is one of two Americans who can postpone the unleashing of the electrical bolt — if the Rosenbergs talk. The other is President Eisenhower.

Despite the elaborate steps tak-

en to give the Rosenbergs the limit of time in which to confess. there was pessimism in Government circles over any such prospect.

There is no doubt every effort has been made to get them to cooperate. But the East Side couple, parents of boys, 10 and 6, have steadfastly professed their innocence.

Though both were active in Communist movements before their arrest, the Communist press and Red spokesmen frostily ignored them during their trial.

Then, patently on signal, a world-wide agitation in their behalf was inaugurated. In scope it has been as great, and apparently as costly, as the 1952 "germ warfare" campaign of the Soviet propaganda mills.

SURE THEY WON'T TALK.

Ex-Communists assert the Communist plan to hold up the Rosenbergs as "martyrs" springs from a positive assurance they will go to their deaths with their lips sealed tightly.

The Reds have succeeded in bringing into the issue some of world's foremost figures, including Pope Pius XII, who sent a message to the White House informing the President a great number of appeals for clemency directed to him at the Vatican.

Dr. Harold Urey, Nobel prize winner and one of the creators of the A-bomb, has volunteered to explain to the President why Sgt.

David Greenglas, chief witness against the Rosenbergs, could not conceivably have passed on to them important data on the bomb.

The Rosenbergs have said their final good-byes to their children, whose plaintive pictures appeared in unprecedented full-page "Save The Rosenbergs" advertisements in newspapers.

The bright lights which have flooded their reath house cells since the gates closed behind them will continue to emblazon their vigil. The midnight of their reticence is about to sound.

(TOMORROW—Clearing the fog in the Rosenberg case.)

Funeral March for Spies Is Broken Up on 14th St.

By GEORGE JOHNSTON

Over 5,000 Rosenberg sympathizers moaned, wept and screamed during a "prayer meeting" near Union Square last night as the atom spies were dying in Sing Sing's electric chair. Then, in defiance of police, they formed a funeral parade and marched through the area until mounted cops ended the demonstration.

THE "PRAYER MEETING" was halted shortly after 8 o'clock when police, fearful of the consequences as they saw many in the crowd exhorted into a state of hysteria, ordered the electric current for the meeting's loud-speaker to be shut off.

The hysteria died down in a few minutes and the crowd began streaming from E. 17th St. into Fifth Ave. Instead of breaking up however, they formed a ragged, slow-moving procession and, waving placards and banners, began to chant "long live the Rosenbergs" as they marched south to 14th St.

At this point a number of persons leaned from windows of a building at 14th St. and Broadway and chanted in return "go home you dirty traitors."

TO HEAD OFF TROUBLE, mounted police rode their horses on the sidewalks and split the procession into small segments which were quickly dispersed by foot patrolmen. By 9 p.m. everything had returned to normal in the Union Square area.

THE HIGH POINT of the "prayer meeting," which boomed the names of President Eisenhower and Attorney General Brownell, was reached at 7:57 when a woman speaker announced "Ethel and Julius Rosenberg are now in the execution chamber. I ask you to bow your heads for two minutes in silence."

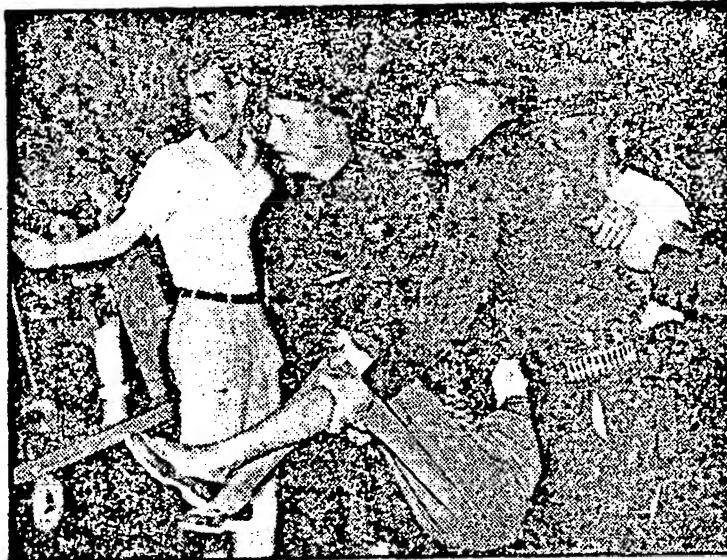
Instead of silence, the announcement brought a low murmur which quickly mounted into a roar of protest as the crowd screamed and chanted "No, No." Men sobbed openly and several women shrieked and collapsed.

At this point Deputy Chief Inspector Patrick J. Kirtley, who headed a detail of mounted and foot patrolmen, ordered the loud-speaker cut off. The hysteria died down immediately and the crowd began to stream away.

EARLIER in the evening they had listened to a succession of speakers brand the executions as "murder," state the Rosenbergs were put to death "because they atom spies were innocent."

The funeral was originally

WOMAN A CASUALTY AT MEETING FOR ROSENBERGS



An unidentified young woman is carried from crowd after she became hysterical during meeting of Rosenberg sympathizers. (Mirror Photo)

called for Union Square by "The Committee to Secure Justice in the Rosenberg Case." When they failed to secure a Park Department permit for use of the Square, police allowed the meeting to be held on 17th St. between Broadway and Fifth Ave.

IN THE LOWER East Side, where Ethel Rosenberg was born and grew up, a crowd of about 200 persons gathered in silence before the home of Ethel's mother, Mrs. Tessie Greenglass, at 64 Sheriff St.

No sound could be heard within the ground-floor apartment and the only light visible came from Sabbath candles standing on a kitchen table. Shortly after word of the executions had been received the crowd began to drift away.

At 9 p.m. a doctor arrived and spent 30 minutes with Mrs. Greenglass. He said she had "collapsed and was naturally upset" and gave her a sedative.

Mrs. Sophie Rosenberg, Julius' 71-year-old mother, returned from

Washington to her home at 36 Laurel Hill Terrace, Washington Heights, shortly after 7 o'clock. Unlike the teeming East Side, however, no neighbors visited and no crowds gathered.

WHEN THE EXECUTIONS had been accomplished, a woman, who said "the committee" had sent her to be with the old lady, emerged from the apartment and said Mrs. Rosenberg had not yet been told that her son had died. She said a doctor had been summoned but gave no indication that Mrs. Rosenberg was ill.

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A-Spies Die in Sing Sing Chair, Rosenbergs First, Wife Follows

By BOB CONSIDINE

SING SING PRISON, N. Y., June 19 (INS).—Julius and Ethel Rosenberg, atomic spies who committed the "crime worse than murder," paid in full measure for it tonight in the seething electric chair at Sing Sing.

Their deaths wrote fins to an historic two-and-a-half-year legal battle which aroused the entire world and caused their ultimate fate to be down to an extraordinary session of the Supreme Court and a second and last Presidential disposal of their plea for mercy.

IN LIFE during years of spying for the Soviet Union, which they were spiritually dedicated, Ethel Rosenberg, 31, was the stronger of the two—even at the moment of death.

The plump and deceptively gentle-looking Lower East Side housewife, and mother of two young sons, followed her husband to the horrid dark walnut chair that sits like an evil throne in the middle of the death chamber at Sing Sing.

Julius, after three electric jolts, was pronounced dead at 8:16 p.m. EDT.

Ethel took five jolts and was dead at 8:16.

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The time of the execution was unprecedented. Originally scheduled for 11 p.m., it had been moved up so that it could be carried out before 8:31 p.m.—Friday sunset and the beginning of the Jewish Sabbath.

ETHEL ROSENBERG'S little procession into the almost shockingly silent place was led by Rabbi Irving Koslowe of Mamaroneck, N. Y.

The Rabbi's deep resonant voice sounded the coming of the macabre parade before a coatless guard opened the huge white oak door that leads into the chamber.

Now, sombre in his vestments, he walked in, quoting from the 23d Psalm. His voice replaced the eerie silence in the room as he sonorously said:

"... Yea, though I walk in the valley of the shadow of death..."

There was an almost Mona Lisa smile on Ethel Rosenberg's face.

Her little minnow of a lipless mouth was curled up at the edges in the faintest possible way. She was dressed in a dark green print of cheap material, a prison dress that revealed most of her plump legs below the knee.

HER DARK BROWN HAIR, apparently freshly washed, was set in an almost boyish manner. Her head had not been shaved, only clipped short on the top.

Like her husband, she wore soft brown cloth slippers.

Just before she reached the chair, for which she showed no revulsion, she turned and looked at the two dumpy, gray-haired women who had followed her into the room.

With an impulsive gesture she reached out her right hand to them.

It was taken by the elder of the two, Mrs. Helen Evans, a matron who had been in charge of Mrs. Rosenberg during her two years in the death house, and who had asked to walk with this first woman ever to die in the chair convicted of espionage by a civil court.

MRS. ROSENBERG'S iron composure melted briefly as she took Mrs. Evans' hand and pulled the older woman into quick and affectionate embrace.

She kissed Mrs. Evans on the

left cheek, but even as she turned away to retrace her steps toward the chair the curious frozen composure returned to her face like a mask.

The corners of her little slip of a mouth came up again.

Where Julius had gone through the motions of seating himself, as if a man living out of a strange dream, his wife, "full-fledged partner" in a crime which President Eisenhower said might mean the lives of millions in an atomic war, was almost cooperative with the little swarm of attendants collected around her.

SHE STRETCHED OUT her hands along the arms of her chair, as if to facilitate their buckling on of the black electrode straps.

She cocked her head in such a way as to help those who were fitting the monstrous crown on her head. She tucked in one fat leg to help the man adjust the strap there.

Only once did she change her expression before the mask came down over her eyes. That was when an attendant almost roughly adjusted the electrode that reaches down through the center of the hood and makes contact with the scalp.

But her face quickly regained its composure and as the hood was lowered over her eyes and the black strap placed across her mouth, she looked straight ahead—almost triumphantly—out over the heads of a little ashen-faced group of reporters and official witnesses sitting on the hard benches before the chair.

EXECUTIONER Joseph Francel, a wasp-waisted little man as innocuous-looking as his regular pursuit might indicate—he's an electrician in Cairo, N. Y.—walked quickly into the little alcove which contains his switches and meters, stared pensively across the room at the grimly enthroned woman, and without a change of expression went about the work for which he was paid \$300—\$150 each.

Julius and Ethel Rosenberg died differently.

When the current surged through Julius, it gave off a curious buzzing, hissing sound, and the man who repaid his country for its priceless gifts by betraying its most fabulous weapon tried to rise in the chair.

When he reached the limit of his deadly tethers, he suddenly inflated. The body contained in the sleazy brown pants and white T-shirt seemed to grow several sizes instantaneously.

His neck, gray and almost scrawny when he dreamily entered the room, now was a great raw red column which filled the aperture of his collar.

Ethel's death was unlike that.

Her plump body filtered the raging sound of the first charge and gave it an entirely different note. From every pore of her body there seemed to emanate a strange, unearthly sound made up almost exclusively of the letter Z.

She seemed about to stand and her hands that had lately lain so passively over the edges of the arms of the chair now contracted into veinous fists.

Thus she sat, lifted off her seat as far as the straps would permit, and one had the straited feeling that she would break those straps and come charging across the floor, wielding those fists.

Then out of the left side of the gear that covered her head rose a heavy cloud of blue-gray smoke that ascended straight up in the deathly-still room until it flattened out in an ugly cake against the skylight overhead.

SLOWLY AND ALMOST majestically she began to descend again in the chair, as if the executioner had conquered the law of gravity with his dials and switches.

The smoke continued to rise

from her head, and as it touched the skylight, painted with the golden sunset, it became a black smudge, and from the chair there was a sound as from a skillet.

The executioner came from his instrument panel and, hand on hips, studied the still-smoking figure in the chair. The index finger on Mrs. Rosenberg's left hand suddenly divorced itself from the fist and rose straight up as if calling for attention.

The executioner went back to his strange panel and commenced the second jolt—to last 57 seconds where the first titanic gush had lasted only three seconds.

The finger sank back into the fist, rose again, sank again. There was no smoke now, and those in the room stood looking at her from under lowered lids.

THERE WAS A STIR in the room now. The executioner signaled that the condemned woman had received a sufficient charge to kill her.

Dr. H. W. Kipp, a sensitive-looking young man, and Dr. George McCracken, a Sing Sing veteran who appeared in a sports jacket, moved over to her, pulled down the front of her round-collared dress.

The collar was not large enough for them to operate effectively, so to help them an attendant quickly unleashed the black strap tied tightly across her breast. Other attendants, assuming she was dead, unbound her arms and leg.

For a long time the two doctors hovered over her with their stethoscopes to the white skin beneath the dress.

Then they looked at each other dumbfounded, had a whispered consultation, and beckoned for the executioner. He, too, seemed surprised.

"Another?" he asked, almost inaudibly.

"Yeah," whispered Dr. Kipp.

Now the monstrous business of re-strapping her had to be attended to, and two more 57-second jolts went through her.

A plume of smoke reappeared from her head, and the room suddenly was heavy with the smell of electrocuted death.

SHE COULD RELAX now.

What had been a woman who once wanted to be an opera star, and settled for espionage, sat there loosely composed.

The doctors advanced on her again, listened, and agreed.

"I pronounce this woman dead," said the young doctor.

They took the mask off Ethel Rosenberg now and her face possessed the same quizzical half-smile that had painted it minutes before when she entered the room.

She was freed of her bonds. Two guards picked her up and placed her on the white wheel-table and pushed her off. Her right leg was flexed in an easy and almost nonchalant posture.

It was a busy table tonight—carting as it did the first man and a wife ever electrocuted together.

JULIUS, HIS FAMILIAR neat black mustache shaved off, was the picture of a soberly stricken man as he entered the death chamber. He waddled behind Rabbi Koslowe as if instinctively marking cadence with the ancient Biblical words. He walked noiselessly on his cloth-bound feet.

He had been chosen to go first because he had spent the afternoon in the women's wing of the death house and the cell that had been given to him there was closer to the last door than was that of his wife.

This meant that if she were designated as the first to die, she would have to pass his cell en route to the chair.

So Julius went first.

Lips Sealed, A-Spies Pay For Betrayal of Nation

By JACK WALISTON

Ossining, N. Y., June 20 (UP)—Julius and Ethel Rosenberg, defiant to the last, paid with their lives for betraying their native land.

Executioner Joseph Francel sent 16,000 volts of electricity through their bodies shortly before sundown last night. Julius, the weaker, went first and withered under three shocks of 2,000 volts each. It took five jolts to kill his wife.

Thus was sealed for eternity the secrets of a Soviet spy ring which many experts fear may still be operating in this country. The Rosenbergs refused to the end to trade the secrets for their life.

The husband and wife were executed against a backdrop of world-wide agitation unequaled since the Sacco-Vanzetti case of the 1920's. Fired by Communist propaganda, the demonstrations reached such fever pitch in Paris that shooting broke out and one man was wounded. The White

House in Washington was virtually besieged.

The Rosenbergs were the first American civilians to die for spying. They were accused of sending a rough sketch of the atomic bomb to Russia.

"Plain, deliberate, contemplated murder is dwarfed in magnitude by comparison with the crime you have committed," Judge Irving Kaufman said in sentencing them to death on April 5, 1951.

'Millions May Pay Price'

"Millions . . . may pay the price of your treason," he said.

Three times the couple had been spared before the electricity coursed through their bodies and they were pronounced dead.

Relatives claimed the bodies of the 35-year-old electrical engineer and his plump 37-year-old wife and they were expected to leave here by hearse around mid-morning for a still unannounced burial ground.

Under the Jewish faith, no burials—not even mourning—is permitted on the Jewish sabbath which extends from sunset Friday to sunset Saturday. So presumably their burial will be on Sunday.

Julius Rosenberg, a look of defiance on his face, his eyes staring straight ahead and displaying no emotion, was the first to die. He was placed in the chair at 8:04 p.m. and was pronounced dead at 8:06 p.m.

Moon-faced Ethel, attired in a dark green figured print dress, came calmly, stoically, into the death chamber only two minutes after her husband's body had been rolled into an autopsy room less than 20 feet away.

Mrs. Helen Evans, a prison matron who had been in constant attendance of Mrs. Rosenberg during the two years the convicted spy had been in the death house here, and Mrs. Lucy Many, a prison telephone operator, accompanied the condemned woman to the chair.

As Mrs. Rosenberg reached the grim walnut chair, she turned suddenly, impulsively, grasped Mrs. Evans' hand and then kissed her on the right cheek. She mumbled "Good-by" . . . "Thank you."

Then, the dumpy little woman turned, took another step forward and sat down in the chair.

She was strapped. The cathode element, soaked in a saline solution and resembling a football helmet, was strapped to her head.

Once she winced as the chief keeper adjusted the screws that clamped it tightly to her scalp. The leather mask, which covered all her features but the lower half of her chin, was put on. The cathode element was

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attached to her right leg. The guards stepped back.

Then Francel, an electrician whose sideline is acting as executioner in prisons in five States, threw the switch. That was at 7:11½. Four and one-half minutes and after four more shocks Ethel Rosenberg was dead.

Drs. H. W. Kipp and George McCracken applied their stethoscopes to her chest.

Kipp turned to the warden and said: "I pronounce this woman dead."

The Rosenbergs both were dead, he with a silly, grotesque grin on his lifeless face and she looking in death almost as she had a few minutes earlier in life.

Time had run out. At last, more than two years after Judge Irving Kaufman had pronounced sentence on the pair they had paid with their lives.

Prior to their death, their defense counsel, Emanuel Bloch had waged a bitter legal battle that went five times to the U. S. Supreme Court. Twice, Bloch asked the White House for Presidential clemency.

His first appeal was made to President Truman, who went out of office before the Justice Department could relay it to him. President Eisenhower who succeeded Mr. Truman, turned down the spy team. He denied their second appeal yesterday.

The first time, he told them that their crime, "far exceeds that of the taking of the life of another citizen." Mr. Eisenhower said it involved "the deliberate betrayal of the entire nation and could very well result in the death of many, many thousands of innocent citizens."

By their act, the President said, "these two individuals have in fact betrayed the

cause of freedom for which free men are fighting and dying at this very hour."

Three Reporters Present

Ten official witnesses, six prison guards and Francel were in the 40 by 40-foot death chamber to see the Rosenbergs die. The group included three newspapermen, Reiman Morin of the Associated Press, Bob Considine of International News Service, and this writer. The three, immediately after the executions briefed 35 other newspapermen gathered in the prison's administration building.

The other official witnesses were U. S. Marshal William A. Carroll, Warden Wilfred L. Denno, Rabbi Irving Koslowe, Thomas M. Farley, Carroll's deputy; Paul McGinnis, Deputy Commissioner of the State Bureau of Prisons, and Doctors Kipp and McCracken.

The official party reached the death house by prison van from the administration building at 8:01 p.m.

Reads the 23d Psalm

At 8:02 p.m., a blue-shirted guard opened a door on the right side and at the far end of the prison chamber. Rabbi Koslowe, dressed in the formal robes of a spiritual leader of his faith, walked through the door. He was reading the 23d psalm.

"The Lord is my shepherd; I shall not want.

"He maketh me to lie down in green pastures. He leadeth me in the paths of righteousness for His name's sake.

"Yea, though I walk through the valley of the shadow of death . . ." the rabbi intoned as he walked slowly with the prisoner down Rosenberg's "last mile."

Gazes Calmly Ahead

Behind the rabbi came Rosenberg — defiant, staring straight ahead. He was clean-shaven, he no longer had the moustache which he wore when he went to the death house. He wore a T-shirt,

brown trousers with a tan stripe, and loafers.

For a brief moment a puzzled look appeared on his face when he took one quick glance at the four benches at the rear of the chamber where the official witnesses sat.

Otherwise he gave no sign of emotion. While the guards strapped him in the chair, adjusted the straps and electrodes, he gazed calmly ahead. Once, the trace of a sardonic smile creased his lips.

The room was silent. The scratching pencils, of the three reporters could be heard the length of it. The guards, their work completed, stepped back, one on each side and to the rear of the chair.

Warden Denno signalled Francel that all was ready and the slim little executioner threw the switch. There was a buzzing for three seconds and Rosenberg lurched forward crazily, his hands clenched. His neck muscles swelling.

Francel released the switch. The body of Rosenberg, half dead, relaxed. Then came the second charge—for 5 seconds. Again the man tensed, and again relaxed as the buzzing halted. Then came the third charge.

A guard stepped forward. In a quick motion he ripped the T-shirt in two at the top. The tearing cloth sounded like thunder in the silent room. He wiped off the man's chest with a towel.

The doctors stepped forward and applied their stethoscopes. "I pronounce this man dead," Kipp advised the warden. Quickly two guards bundled the lifeless body onto a hospital cart and wheeled it into the autopsy room about 16 feet to the right and in front of the chair.

Warden Denno stepped from his position along the wall to the right of the chair and ad-

The Rosenberg Spy Story: A

By THEO WILSON

The Rosenberg Case—a story of spies and traitors, conspiracy and treason—began unfolding before a horrified public more than three years ago.

On Feb. 3, 1950, a Scotland Yard inspector arrested a brilliant, German-born scientist, Dr. Klaus Fuchs, at work in Great Britain's atomic laboratory. As a direct result of that arrest, an American husband and wife, Julius and Ethel Rosenberg, were convicted as wartime conspirators against their country.

This is how it happened:

The arrest of Fuchs was the first big break in an international atomic spy conspiracy responsible for handing over to the Russian government our A-bomb secrets. Fuchs, 41, confessed.

Gold and Greenglass.

He had been a Soviet agent when he worked with American scientists on the first atom bomb in New Mexico in 1946. He had been a Soviet agent, in fact, since 1939. He got the maximum sentence under British law, 14 years imprisonment.

After Fuchs came the case of a nondescript Philadelphia chemist, Harry Gold, arrested on May 23, 1950. Charged with giving atomic secrets to Russia, he pleaded guilty and is serving 30 years.

Gold cooperated with the Government. Three weeks after his arrest, FBI agents picked up a \$75-a-week machinist, David Greenglass, 31, a

native New Yorker and a wartime Army sergeant at Los Alamos, N. Mex., where the world's first A-bomb was produced.

Greenglass talked, too.

(While he was talking, the Korean war exploded on June 25, 1950.)

Greenglass' wife, Ruth, mother of his two children, was mixed up with him in the plot, the agents learned. So was his brother-in-law, Julius Rosenberg, 35; the FBI picked him up on July 17.

By Aug. 1 the Government reported it was "getting more information every hour," but none of it was coming from Rosenberg.

Sobell Completes Cast.

Nevertheless, 10 days later, Rosenberg's wife Ethel, a sister of Greenglass and mother of two young sons, was arrested in her Knickerbocker Village apartment. The public realized the importance of the charges brought against this ordinary looking couple when an assistant U. S. Attorney said at Mrs. Rosenberg's arraignment: "If the crime with which she is charged had not occurred, perhaps we would not have had the present situation in Korea."

The Rosenbergs were accused of

sending military secrets to Soviet Russia themselves and through Greenglass, pictured as a hero-worshiper of his brother-in-law. Both Greenglass and Fuchs had given bomb secrets to Gold at Los Alamos.

On Aug. 17, 1950, the Government indicted a former Russian vice consul in New York, Anatoli Yakovlev, and called him the link which held Fuchs, Gold, Greenglass and the Rosenbergs together. Yakovlev had long since returned to Russia.

Greenglass Admits Guilt.

On Aug. 18 the last of this cast was arrested. Morton Sobell, 36, electrical engineer and wartime radar expert, was accused of working in the spy ring with the Rosenbergs.

That same day, Greenglass pleaded guilty, thereby probably saving his own life and starting his sister and brother-in-law toward a sentence of death.

These three and Sobell were charged with "conspiring in time of war to transmit to the Soviet Union information concerning the national defense of this country." Twelve overt acts were listed.

Ruth Greenglass and Gold were named co-conspirators, not defendants. The conspiracy, it was charged, started in June, 1944, and lasted to June, 1950.

On March 6, 1951, the trial of

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History of Horror

the Rosenbergs and Sobell opened in the U. S. Courthouse in lower Manhattan. Actually they were not tried for treason, but under the general espionage law of 1917.

The trial reached its dramatic high point when Greenglass testified against the Rosenbergs, who denied everything on the stand. Sobell did not testify. It took the jury 19 hours to deliberate and on March 29, 1951, all three defendants were found guilty.

"On April 5, 1951, Judge Irving R. Kaufman, castigating the Rosenbergs for a "crime . . . worse than murder," sentenced them to death. Sobell was given 30 years imprisonment.

The Sympathizers.

Next day Greenglass was sentenced to 15 years. Mrs. Greenglass was freed.

Then began the battle for the Rosenbergs' lives.

The unprecedented death sentence touched off world-wide reaction. Interceding for the Rosenbergs were groups obviously Communist-inspired; other groups, however, such as Chinese Christian leaders and American churchmen, also interceded. There were parades, appeals, mass meetings at which the Rosenbergs were pictured as victims of a political frameup, sentenced unjustly.

On Feb. 25, 1952, the U. S. Cir-

cuit Court of Appeals heard the first appeal and refused to interfere with the sentences. On Oct. 13 the Supreme Court refused to review the convictions.

A second time, Nov. 21, the Supreme Court refused to intervene. Both times Justice Black was the lone dissenter.

The execution was scheduled by Judge Kaufman for the week of last Jan. 12. Pickets marched in front of the White House.

Furor in High Court.

It was understood that the sentence might be commuted if the Rosenbergs confessed and named other spies. Last Jan. 2, Judge Kaufman denied them clemency, stating: "They chose martyrdom and to keep their lips sealed . . ."

Five days before the scheduled execution a stay was ordered so that the case could go to the President. Truman failed to act before leaving office. President Eisenhower refused clemency.

On May 25 the Supreme Court again refused to intervene, with Black and Douglas dissenting.

On Monday the court rejected an application for a stay, 5-4. It also voted, 7-2, against reviewing the trial. It denied an oral plea.

But Justice Douglas, on Wednesday, ordered a stay of execution, which the Supreme Court overruled yesterday, and a final appeal to President Eisenhower was rejected.

Rosenberg Dies First; Both Silent

Special to the Herald Tribune

SING SING PRISON, June 19.—Julius and Ethel Rosenberg—American-born husband and wife from New York's Lower East Side—were executed tonight in the electric chair as spies convicted of betraying American atomic secrets to Russia.

Rosenberg was executed first. He was pronounced dead at 8:06 o'clock and his wife ten minutes later. There were no last statements and neither Rosenberg nor his wife spoke a word as they were led from their cells to the execution chamber.

They were the first citizens in American history put to death for espionage at direction of a civil court, and the first married couple executed together in this country.

Mrs. Rosenberg, a slight brunette weighing only 100 pounds, was the first woman electrocuted by Federal order.

Under the latest execution schedule, set today after first the Supreme Court and then President Eisenhower ended the Rosenbergs' last hope for further reprieve, the time of death for the two spies was formally set for 8 o'clock. This was thirty-one minutes before sundown, start of the Hebrew Sabbath.

Husband Goes First

Rosenberg, a thirty-five-year-old electrical engineer, who preceded his wife to death by ten minutes, was impassive when he entered the execution chamber.

He wore white trousers, a brown T-shirt and slippers. His mustache had been shaved off. He walked slowly, seeming to sway a bit. Preceding him was the prison's Jewish chaplain, Rabbi Irving Koslowe, of Mamaroneck, who was reading from the 23d Psalm:

"The Lord is my Shepherd, I shall not want" . . .

Rosenberg's Sight Uncertain

Rosenberg's sight, without his glasses, seemed uncertain. He was strapped into the chair, the mask was affixed to his face. Joseph Francel, New York State executioner, who is paid \$150 for each person executed, pulled the knife switch and 2,000 volts of electricity at 8 to 10 amperes, went through the spy's body.

When Mrs. Rosenberg, thirty-seven-year-old mother of two young sons, entered the death chamber at 8:12 p. m., she was accompanied by two women, Mrs. Helen Evans, a matron, and Mrs. Lucy Many, former

matron and now a telephone operator.

For Mrs. Rosenberg, Rabbi Koslowe read from the 15th and 31st Psalms. Just before she was seated in the chair, Mrs. Rosenberg suddenly held out her hands to Mrs. Evans. She seemed to pull the matron toward her and then she kissed Mrs. Evans on the cheek.

Mrs. Rosenberg, who wore a dark green print dress, received the same three jolts of current that had been required to execute her husband. Then the prison physician, Dr. George McCracken, stepped forward to examine her, assisted by Dr. H. W. Kipp.

There was a whispered con-

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Rosenbergs

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ation between them as they held stethoscopes on her chest. They murmured to Warden Wilfred H. Denno, and stepped back. Two more spurts of electricity were applied and she was pronounced dead.

Warden Denno explained that Rosenberg was executed first because the position of the cells did not require him to pass his wife's cell on his walk to the chamber. Had she gone first, she would have passed his cell. As it was, the warden said, she probably did not know her husband was already dead.

Tonight's executions ended what is probably the most celebrated and controversial criminal case in the history of American jurisprudence. In addition to domestic disputes over various aspects of the case, Communists all over the world used it to stir up propaganda depicting the Rosenbergs as victims of American cold war hysteria.

Phone Held Open

Right up to the hour of execution, a telephone line between Sing Sing and the Department of Justice in Washington was kept open in case the Rosenbergs decided to tell the government what they knew about espionage against the United States. During their imprisonment they contended through their lawyer, Emanuel Bloch, that a government deal for clemency had been offered them, but that they had nothing to say because they were innocent.

The Rosenbergs, in the death house for more than two years while legal maneuvers were exhausted to save them, had the privilege of three visits together today, the final one lasting until not long before their death.

They had no visitors from outside. David Rosenberg, brother of the executed spy, came to the prison at 6:15 p. m. and conferred with the warden but was told that he was too late. He left at 6:30 p. m. The Rosenbergs last saw their sons—Michael, ten, and Robert, six—on a death house visit Tuesday. The boys are with friends in Toms River, N. J.

Accorded late today the traditional privilege of ordering their last meal, the Rosenbergs made modest requests. She specified only two scrambled eggs and he asked for only two packages of cigarettes.

Five times since January, 1951, the Rosenbergs had seen their execution time postponed. The last reprieve, of less than twenty-four hours, came yesterday as a result of the stay issued on Wednesday by Supreme

Court Justice William O. Douglas.

That stay canceled the scheduled execution at 11 o'clock last night. When today's developments in Washington put the execution order back into effect, it was first assumed that the sentences would be carried out at 11 o'clock tonight. That hour is Sing Sing's customary hour for executions.

However, the Jewish Sabbath is from sundown Friday to sundown Saturday. Sundown today came at 8:31 p. m., hence the executions were set for thirty-one minutes earlier.

The fact that the Jewish Sabbath was avoided as an execution date apparently was directed by the Department of Justice in Washington. Once the last hope of reprieve was gone, the question became—what time would the executions take place.

William A. Carroll, United States Marshal, in charge of the prisoners, said he awaited word on that from Washington, and mid-afternoon dispatches from the Capital said that in view of the oncoming of the Jewish Sabbath, the execution hour might be earlier than 11 p. m.

In late afternoon, Sing Sing Warden Denno, after getting the word from Washington through Mr. Carroll, announced that the execution hour would be 8 p. m.

In New York today, in the period before the death time had been determined, counsel for the Rosenbergs went before Judge Irving R. Kaufman—a Jew—with a motion for a stay on the ground that the execution might come on the Sabbath.

Milton H. Friedman, of 422 Fifth Ave., acting for Emanuel H. Bloch, chief Rosenberg counsel, made the application. Judge Kaufman denied it after conferring by telephone with Attorney General Herbert Brownell Jr.

"He assured this court," Judge Kaufman said, "that the execution will not be carried out during the Sabbath. Accordingly, there is no need for the stay urged here."

Warden Denno and village police in Ossining took precautions to guard against incidents. Sing Sing's full force of 285 guards was on duty. And Ossining Police Chief Spencer Purdy had all his police patrolling the route from the New York Central Railroad station to the prison. State police also were on hand.

All these precautions turned out to be unnecessary. No demonstration of any kind developed, and the police along the route from the station to the prison had nothing more strenuous to do than check credentials of reporters and photographers.

Spies Die Calmly; Seal Lips to End

By JEROME EDELBERG and RICHARD WILSON

Four times their date with death had been postponed. But as the sun's last rays slanted across the Hudson 45 minutes before the start of the Jewish Sabbath, Julius and Ethel Rosenberg knew yesterday that their last reprieve was ending.

Their emotions remained under tight check. Rosenberg, his mustache shaved off, died first. His wife, a strange calm on her face, was pronounced dead 10 minutes later. Neither said a word.

A bare 15 minutes before the 8 p.m. execution time, as the first of the atom spies was walking the last mile to the chair behind the death chamber door, lawyers in Washington and New York made 11th-hour efforts to save the lives of the couple sentenced by Federal Judge Kaufman for "a crime worse than murder."

David Rosenberg, Julius' brother, arrived at the prison at 6:15 p. m. for a final farewell, but Warden Denno said he had received no notification of his visit, and said it was "too late" to make the necessary arrangements. David, riding in a car with two women, one believed to be his wife, left 20 minutes later, a newspaper in front of his face.

IN WASHINGTON, Emanuel Bloch, the Rosenbergs' chief counsel, carried a letter from the doomed pair to the White House. It begged for clemency. President Eisenhower read the letter, and announced through his press secretary at 7:35 p.m. that it added nothing to the issues already reviewed.

In New York, Judge Kaufman ruled at 7:45 p.m.—35 minutes after the execution procedure had been set in motion, 15 minutes before the

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switch was to be pulled—the Rosenbergs must be the first American civilians ever to die for espionage.

He rejected the oral plea of Los Angeles attorney Daniel G. Marshall for a stay. Marshall based his argument on the same point used by Supreme Court Justice Douglas to justify his stay, a point overruled by the full Court.

Kaufman refused to "call up the warden at Sing Sing," as Marshall pleaded. The lawyer called on him to "correct this horrible miscarriage of justice," but Kaufman said calmly:

"I know the tragedy involved in this case. As for your argument, I am thoroughly familiar with the case. I am not going to constitute myself as a super-Supreme Court."

MARSHALL ARGUED from 7:15 to 7:30 p.m. Kaufman handed down his ruling six minutes later, thus ending the legal phase of a case that has become a cause celebre ranking with the Sacco-Vanzetti affair.

The execution was the first daylight one in the memory of Sing Sing officials. It was advanced three hours from the usual 11 p.m. time in deference to the Sabbath, which began at sundown. The U.S. weather bulletin for the Ossining area placed sundown at 8:31 p.m., and rabbinical authorities agreed that this was the start of the Sabbath.

The prison's full complement of 290 guards, reinforced by 75 State Troopers drawn from a number of eastern New York areas, were on duty to prevent any public outbursts. But as the sun sank beyond the Palisades, Ossining was quiet.

THE SCHOLARLY LOOKING, bespectacled Rosenberg, 35, and his tiny, 100-pound brunette wife, Ethel, 37, spent their last day in characteristic calm. The slouch-shouldered electrical engineer ordered two packs of cigarets for his last "meal"; the five-foot-tall housewife, also a product of the lower East Side, daughter of Russian-immigrant parents, ate scrambled eggs.

The first husband and wife to die in the 62-year-old electric chair were visited only by the chaplain on their last day. Julius' brother, David, arrived at the prison at 6:15 p.m. for a final farewell. But Warden Wilfred Denno said he had received no notification of his visit, and it was "too late" to make the necessary arrangements. David was not permitted into Death Row, and left the administration building 20 minutes after his arrival, face shielded by a newspaper.

Dr. Harold Kipp, who pronounced the pair dead, arrived at 7:45 p.m. By tradition, his examination was to determine the "weaker" of the two, and the weaker always walks the last mile first.

He apparently decided that Ethel had withstood the pre-electrocution ordeal better than her husband, for she went last. Julius's heartbeat was found to be stilled after three jolts; Ethel's heart still beat faintly after the first two shocks, and three more 57-second shocks were administered.

ETHEL, FIRST WOMAN to die by Federal order since the 1865 execution of Mary Suratt for her part in the Lincoln assassination conspiracy, did not see her two sons, Michael, 10, and Robert, 6, on the day of her death. They had said farewell earlier in the week.

Kaufman's 7:45 p.m. ruling was the third he had made during the day denying further stays for the couple convicted of transmitting atom bomb secrets to Russia.

In the final flurry of maneuvers by the Rosenbergs' attorneys, Kaufman turned down re

quests for a stay of execution and a writ of habeas corpus. Later in the day, he also denied a lawyer's plea for a stay based on the contention that the Sabbath should be observed.

IN A BRIEF memorandum, Kaufman denied this application, stating he had spoken with Attorney General Brownell, who assured him the executions would not be carried out during the Sabbath.

"Accordingly, there is no need for the stay urged here," Kaufman declared.

In Washington, defense attorney Emanuel Bloch made a heated attack on President Eisenhower after word was received that the couple would die before sundown so there would be no conflict with the Sabbath.

"The people who are running the government are much more barbaric than the Nazis when they had power in Germany," Bloch said. "It is my firm conviction that the action of President Eisenhower indicates we are living under a military dictatorship garbed in civilian clothes."

After all had failed, Bloch phoned Denno from a pay station in the Supreme Court Building. At one point he was heard to ask the warden to give the Rosenbergs "all my love and all my sympathy."

The condemned husband and wife were permitted to meet twice during the day in the death house. The first visit began at 9 a.m. and lasted 90 minutes. Ethel remained in her cell in the women's section and Julius was brought to her barred door, where he was able to talk to his wife through a mesh screen.

AT THE TIME, the question of whether Justice Douglas' stay of execution would be upheld by the Supreme Court had not yet been decided and the couple conversed in low tones, characteristically showing no emotion whatsoever.

By the time the second visit was arranged, the couple had learned through the Sing Sing radio broadcasting system that all hope had vanished for them, that the Supreme Court would take no action to save their lives.

At 1:30 p. m., while tension among inmates, guards and officials in the death house mounted, Rosenberg declared he was ready for the second meeting with his wife. A guard took him from the men's section, walked with him a short distance to the women's section where Mrs. Rosenberg was waiting, again in her cell with a matron in attendance outside.

GUARDS REPORTED with amazement that no single sign of turmoil or emotion broke through the Rosenbergs' stoic demeanor on this, their last opportunity to look at each other and exchange their last words.

"There was no change in them," Warden Denno said.

The action of the Supreme Court in vacating the execution stay automatically rendered ineffective a motion filed the day before by Bloch, with Judge Kaufman seeking to set aside the conviction and death sentence.

MEANWHILE, as soon as the Supreme Court action became known, Police Chief Spencer Purdy, of Ossining, established a road block at the foot of Hunter St., at the intersection of Secor Rd., near the prison, as a precaution against a possible demonstration by Rosenberg sympathizers.

At the same time, Purdy ordered his entire force on duty throughout the night and leaves were canceled for all 290 Sing Sing guards. Announcing that "there will be no march on the prison," Purdy called for a contingent of State Police to reinforce his forces.

The precautions taken proved unnecessary, however, as there was no demonstration at the prison, and the streets of the riverbank city, which has been the

scene of more than 500 executions, remained quiet.

About 150 persons clustered around the wooden barricades 150 yards from the prison gates. Beyond the barricades, neighborhood kids played ball and rode their bikes as the atom spies prepared to go to their deaths. Beer and soft drinks were sold by street vendors to neighbors sitting on their porches and listening to radios.

A COAST GUARD helicopter hovered overhead, looking for demonstrations. Detectives at the railroad station watched trains, alerted to ward off any "protest marchers." A police motorcycle occasionally roared through Hunter St. But as the sun set, a strained silence fell over the knot of residents outside the grim prison walls.

As the last vertical sunray lit the Jersey sky, a voice broke the stillness.

"Who went first, I wonder," said a man, sipping his beer meditatively.

At 8:07 p.m., a workman remarked:

"Fellow down there has signalled that the meter on the powerhouse has gone up."

At 8:16 p.m., the man signalled again.

The Rosenbergs were dead.

Shortly after the Rosenbergs had met for the second time during the day, Mrs. Mayme Creighton, matron in charge of Mrs. Rosenberg, was interviewed briefly by newsmen.

Referring to the fact that Mrs. Rosenberg, the only inmate in the women's section of the death house, had not yet been informed the execution would be held that same day, Mrs. Creighton declared:

"Ethel doesn't know she's going yet. She still has hope. She's been wonderful. She keeps repeating over and over, 'We're innocent.' She talked about her children all the time as every other mother does."

EYE WITNESS DESCRIPTION OF EXECUTION

**Normal Three Shocks
Kill Rosenberg, but
Wife Requires Five**

By JACK WOLISTON

Ossining, N. Y., June 20 (UP)—I sat within 10 feet of Julius and Ethel Rosenberg last night when they died in the electric chair at Sing Sing prison.

Ethel, 37, was given five shocks by the official executioner before she was pronounced dead. Julius, 35, got the normal three, which was enough to kill him.

It was not a pretty sight.

Julius was the first to die. He was strapped in the chair at 8:04 p.m., EDT. Shocks came in rapid order. The doctors, after testing his heart action with stethoscopes, pronounced him dead at 8:06 3/4.

Ethel, after getting four shocks, was examined by the two doctors who were members of the official party of 10 witnesses. They didn't think she was dead. Joseph Francel, the executioner, came out and talked with them.

"Want another?" he said.

The doctors nodded.

The one strap that had been removed was replaced. Francel threw the switch for the fifth time. Ethel Rosenberg's body shot up against the straps, then relaxed as the juice was turned off.

This time the stethoscopes found no heart beat. Ethel and Julius were dead. It was the end of a case that probably had no legal parallel in American history.

I could detect no show of emotions on the part of either the husband or wife as they

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were strapped in the chair and the electrodes were attached.

I watched their hands stretched out on the walnut arms of the electric chair. They did not waver.

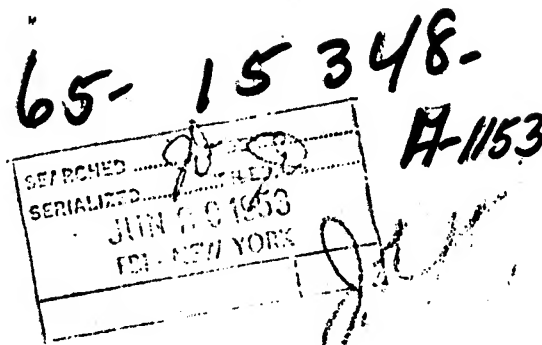
She seemed like a short, plump little housewife who should be at home before an electric stove, cooking dinner for a family.

Just as she reached the chair, matron Mrs. Helen Evans, one of two women who accompanied her, gave her a comforting pat. Mrs. Rosenberg turned and extended her hand to the matron who had been her guard for the more than two years that she had spent in the Death House. Then, suddenly, Mrs. Rosenberg turned and kissed the matron on the left cheek. She mumbled something which

sounded like "good-bye" or "thank you."

I think that sudden movement to kiss the matron startled the guards and witnesses more than anything in the entire electrocution. It came so suddenly in the absolute silence of the chamber, that it took everyone among the 17 persons present a few seconds to comprehend what the condemned woman was going to do.

After she kissed Mrs. Evans, she turned abruptly and sat down in the chair, her face again calm. A few minutes later she was dead.



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Speakers Assail Eisenhower

5,000 Rally at Union Square for Spies

Minutes before the execution of Julius and Ethel Rosenberg last night, a mass meeting of 5,000 persons in E. 17th St., just west of Union Square, cheered a succession of Left-wing speakers who heaped abuse on President Eisenhower and called the death of the atom spies "political murder."

The crowd showed signs of mass hysteria when the National Committee to Secure Justice in the Rosenberg Case, sponsor of the last-minute "prayer meeting," announced at 7:57 p. m. that the Rosenbergs had entered the execution chamber at Sing Sing.

Deputy Chief Inspector Pat-

rick J. Kirley, in charge of 210 policemen at the scene, ordered electricity to the loudspeakers cut off at 8 p. m. to avoid "trouble." The crowd began to disperse, peacefully and quietly, toward Fifth Ave. within a minute. Some die-hard members tried to stage a placard-waving, hymn-singing parade on 14th St. south of Union Square, but were moved along by police.

At about the same time, 200 persons somberly gathered in front of the tenement apartment of Mrs. Tessie Greenglass, mother of Ethel Rosenberg, at 64 Sheriff St., on the lower East Side. The bulk of this group left quietly after news of the executions came over portable radios in the crowd.

No sound came from Mrs. Greenglass' ground-floor apartment. The only light visible seemed to come from four candles standing on a kitchen table. They were lit shortly before sundown, the start of the Jewish Sabbath, close to the time when the Rosenbergs met their deaths. A physician was summoned to the apartment at 9:10 p. m. He left at 9:30 saying Mrs. Greenglass had "collapsed" and that he had given her a sedative.

No crowd congregated in front of the apartment of Mrs. Sophie Rosenberg, mother of Julius Rosenberg, at 36 Laurel Hill Terrace, Washington Heights. A woman from the Rosenberg Committee came out to say that news of the execution had been received by telephone.

"Julius Has Gone"

The woman said "Julius has gone" but that his mother had not been told. She said a doctor had been called for Mrs. Rosenberg. "We will not tell her until we decide to do so," she said.

The Rosenberg Committee had hoped to hold its final mass meeting in Union Square, but was told it could not do so by Inspector Kirley because it did not have a Parks Department permit. The E. 17th St. location was selected because no permit was necessary for a street meeting.

The committee brought a sound truck with a speakers' platform on top to E. 17th St. and Broadway. Police sawhorses stopped the crowd from spilling over into Broadway, and, at the

height of the meeting, the crowd filled the sidewalks and pavement of E. 17th St. almost back to Fifth Ave.

Dozens of persons in the crowd waved signs reading, "We Are Innocent—the Rosenbergs" and placards bearing likenesses of the doomed couple. The street was littered with hastily-printed announcements of the meeting, distributed by committee workers throughout the Union Square area.

Calls Execution "Murder"

The meeting began at 6:30 p. m. Leon Straus, joint chairman of the Leftist Fur and Leather Workers Union, said the execution would be "the most brutal murder—political murder—ever committed in America."

Other speakers included Albert Kahn, a writer; the Rev. Harold F. Williamson; Norma Aronson; Emily Alman; Irving Starr; David Alman and William L. Patterson, national secretary of the subversive Civil Rights Congress.

Most of the speakers were officials of the Rosenberg Committee and launched vicious attacks on President Eisenhower and Attorney General Herbert Brownell jr.

After the singing, by a trio, of "My Loved Ones," a ballad written to the Rosenbergs, "We Will Be Free," a spiritual, and "The Song of the Warsaw Ghetto," Mrs. Aronson took the microphone and said:

"Ethel and Julie Rosenberg are now in the execution chamber. I ask you to bow your heads in prayer for two minutes. I ask you to join with them."

At this point, the overwrought crowd began to shout, scream and weep. One woman fainted and was assisted by police. A woman with some obvious authority on the committee stood near the sound truck and ordered, "Shout! Shout now!"

Inspector Kirley said he ordered the electricity for the loudspeakers shut off because the crowd was getting hysterical and it "could mean trouble." Without speeches coming over the loudspeaker, the crowd began to leave in an unusually short time. Police had little trouble and used no force to keep the people moving.

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By HENI

Julius and Ethel Rosenberg, the A-traitors who for two years had tried to out-bluff Uncle Sam with the help of fellow Communists all over the world, finally were executed at Sing Sing Prison shortly after 8 o'clock last night.

The mousy Julius, his mustache shaved off, entered the death chamber first, at 8:04 P. M. and was pronounced dead, after the customary three electric shocks, at 8:06³/₄.

But when Ethel followed at 8:11¹/₂ P. M., it required five shocks to complete the death sentence, and she was not pronounced dead till 8:16 P. M. She had already been unstrapped when Drs. H. W. Kipp and George McCracken

RY LEE

ordered the executioner to give her two more shocks.

Both died calmly—and silently. There had been some speculation that, near the end, they might crack and take advantage of government offers to save their lives by making a clean breast of their spy operation. There had been some belief, too, that they might die chanting the dreary Communist slogans by which they had lived. But they fooled everybody—and their fellow Commies fooled them. Not one showed up in Ossining to carry on the demonstrations which the Commies have been staging all over the world for the

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Rosenbergs

He Goes to Chair First; Extra Shocks for Her

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last two years in their behalf. They died very much alone.

The only emotion was displayed by Ethel. As she entered the room, she turned to shake hands with Mrs. Helen Evans, the regular matron, and then, impulsively, drew Mrs. Evans to her, hugging and kissing her for a moment.

Julius was dressed in a white T-shirt and brown pants. Ethel wore a dark greenish, loose-fitting printed dress and both were wearing brown loafers.

For Julius, the last walk was comparatively short. For Ethel, it was long.

Only 40 Feet Away.

Just before the electrocutions, Julius was placed in one of the half dozen pre-execution cells only 40 feet from the chair. Ethel remained in her own cell in the condemned women's section—some 200 feet from the chair.

Had she died first, there would have been a chance for a last good-by as she passed his curtained cell. As it was, the cell was empty—and her husband dead—when Ethel went on her last walk.

The only three newsmen permitted to witness the dual execution—the first daylight executions in the memory of Sing Sing attaches—returned from the death house at 8:25 P. M. to brief 38 other newspapermen on the deaths.

Walking the last mile with both spies in addition to guards or matrons, was Rabbi Irving Koslowe, prison chaplain. For Julius, he recited the 23d Psalm, intoning "Though I walk in the valley of the shadow of death." For Ethel, he intoned a combination of the 15th and 31st Psalms.

All through the quick proceedings, the rabbi's head was bowed,

and he constantly murmured prayers for the couple.

The daylight execution—a very dim orange sun was disappearing behind the cliffs on the west side of the Hudson—was made necessary by a week-long series of court actions. The executions had been deferred beyond the customary 11 P.M. Thursday date, and the authorities wanted them to be over before the Jewish Sabbath began at 8:31 o'clock last night.

Though every government security agency reportedly had undercover representatives in Ossining—in addition to hundreds of prison guards, state troopers, county and local police—there were no disorders.

In explaining the additional two jolts given to Ethel, Dr. Kipp said

Dead at Sundown



Julius Rosenberg



Ethel Rosenberg

he had detected a faint heartbeat after the first three. "There must be no heartbeat at all," he said, and for that reason had signaled the executioner to give the two additional jolts of 2,000 volts each.

Both spies were preceded by the rabbi as they walked slowly, calmly, to their last moment on earth. Ethel, 37-year-old mother of two sons, had a half-smile on her face gineer, was impassive-faced, but alas she extended her hand to matron Evans and then pulled her close for the last hug and kiss.

She winced slightly when the electrode was placed against a shaved spot on the top of her head and the leather mask dropped over her face to the lips. Quickly the second electrode was placed against her right leg and the body straps applied. To the witnesses, she ap-

5,000 Phone The News

More than 5,000 person phoned THE NEWS yesterday and last night for news of the execution of A-spies Julius and Ethel Rosenberg. Of those who commented, nearly all were in favor of the couple's going to their deaths. The heaviest load of calls was received between 8 and 9 P. M., the hour in which the Rosenbergs died.

peared plump — actually she had gained 10 pounds in her two years at Sing Sing. Her rather tight, small-lipped mouth was tense.

Julius, 35, an electrical engineer was impassive-faced, but almost strange looking with his

mustache shaven. He seemed to waddle to his death, witnesses said. It took about a minute to strap him and fasten the electrodes, then Dr. Kipp watched him closely, waiting for him to exhale to give the signal for the electricity.

As the jolt rocked him, the remaining air was forcibly expelled from his lungs with a hissing sound. At the same time, there was the buzzing of the electricity. And then silence except for the whispered prayers of Rabbi Koslowe.

With the impact of the electricity, Julius' body strained against



(United Press Telefoto)
Dr. H. W. Kipp arrives at prison
to pronounce Rosenbergs dead.

the head, body and leg straps and rose slightly.

There was a pause. Then came the second jolt and silence and then the final jolt. Quickly Drs. Kipp and McCracken ripped open the T-shirt, exposing the spy's hairy chest, and applied a stethoscope. They pronounced him dead and nodded to two guards who rolled a surgical table alongside the death chair.

Rosenberg's body was unstrapped, placed on the table and wheeled out a second door leading to the autopsy room.

In moments, the death cell was in readiness again, and Ethel entered. The same procedure—the same reactions—followed, except for the necessity to give her the extra two jolts. As she died, witnesses noted, a wisp of smoke rose from the left side of the electrode at the top of her head.

Though neither showed signs of collapse, Ethel was undoubtedly the stronger because, by prison tradition, the weaker always goes first to the chair in dual executions.

(Continued on page 6, col. 1)

Atom Spies Die in

(Continued from page 3)

Almost at the last moment, Warden Wilfred Denno made his decision on the basis of reports from Principal Keeper Louis Kelly and the rabbi as to their comparative physical and mental conditions.

Besides the three newspapermen, official witnesses were Marshal William A. Carroll, Deputy Marshal Thomas Farley, Warden Denno, the two physicians and Rabbi Koslowe. In addition, guards



Federal Judge Irving Kaufman leaves U. S. Courthouse after hearing from Washington that Rosenbergs would be executed.

were present, but two matrons, Mrs. Evans and Mrs. Lucy Many, who had walked to the door with Ethel, were excluded from the actual death scene.

According to the warden no arrangements have yet been made for disposition of the bodies, but the couple's lawyer, Emanuel Bloch, of New York, was expected to claim them. Because of the Sabbath, there will be no funeral today, it was said.

Through the tension of their last day—the adverse decision by the Supreme Court in Washington, President Eisenhower's new refusal to grant clemency, the quickened, taut tempo in the prison itself—the Mr. and Mrs. Spy team remained calm.

As on Thursday, the couple were allowed to visit lengthily, both morning and afternoon, in front of Ethel's cell, separated by a heavy wire mesh screen and supervised by guard and matron. They had heard separately the bad news from the Supreme Court over the prison radio loudspeaker. They were together when the second news flash—that Ike had once again

refused clemency—blared over the speaker. There was no apparent reaction from either.

About 6 P. M., Rosenberg's brother, David, drew up outside the main prison gate in a car bearing Massachusetts license plates. With him were his wife and an unidentified woman.

Only David was allowed inside, but—because of the nearness of the execution hour—he was not permitted to see his brother. He left after 15 minutes.

Ossining All Set, Violence Never Came

Mindful of a "march on Sing Sing" six months ago by Rosenberg sympathizers, of bomb threats against the judge who sentenced the couple to death and of worldwide demonstrations on behalf of the atom spies, authorities prepared to cope with violence in Ossining last night. None came.

The little Westchester community in which the dour electrical engineer and his wife were put to death was an armed camp on execution day.

All approaches to the prison

Chair; Husband Goes First

were barricaded. The full prison staff of 290 was on duty or alerted for it. Ossining's 25 cops were posted in strategic points throughout the town. Fifty state troopers stood guard at the railroad station, outside Sing Sing, and at highway entrances to Ossining.

But those who had organized and put into effect the ceaseless barrage of demonstrations for the spy team obviously had given up. No pickets, no slogan-shouting zealots appeared.

No "mercy train"—and there had been "mercy trains" to Washington several times, and one to Ossining on Dec. 21, 1952—pulled into the railroad station.

Legal Forces

Active to the Last

By NORMA ABRAMS

Defense attorneys fought almost to the last minute in their protracted struggle to save Julius and Ethel Rosenberg.

Three separate pleas were denied by Federal Judge Irving R. Kaufman, who sentenced the couple.

The last move was commenced at 7:15 P. M. by Daniel G. Marshall of Los Angeles, one of the two out-

side lawyers who persuaded Supreme Court Justice William O. Douglas to issue his unprecedented stay Wednesday.

Marshall, highly emotional, urged Kaufman several times to phone Sing Sing and order the execution postponed. He argued at great length that the Supreme Court, in vacating the Douglas stay yesterday, had decided hastily and under great pressure.

Overrule Supreme Court?

In effect, as Kaufman pointed out, he asked Kaufman to overrule the highest tribunal.

Kaufman, in reply, said that the same matter had been brought before him a week ago and that he had ruled that the arguments were without merit and the attorneys offering them—Marshall and Fyke Farmer, of Nashville, Tenn., both hired by a Los Angeles pamphleteer named Irwin Edelman—were "interlopers" and without standing as Rosenberg counsel. Finding the plea still without merit, Kaufman at 7:45 P.M. rejected Marshall's application for a writ of habeas corpus and a stay.

Earlier, Kaufman denied a final move by the Rosenbergs' counsel,

who served notice that an appeal would be placed before U. S. Court of Appeals Judge Thomas W. Swan at New Haven, Conn.

Arthur Knoy, a defense associate waiting in New Haven, at once filed the appeal there before Judge Swan, who received the lawyer in chambers and rejected the plea.

In the proceedings here before Judge Kaufman, Frank Schiner, an associate of Emanuel H. Bloch, Rosenberg chief counsel, sought to press a motion to set aside judgment on the ground that Kaufman had lacked authority to impose the death penalty. He also asked a stay. U. S. Attorney J. Edward Lumbard opposed him.

Kaufman's denial was given after he heard both men in chambers.

Immediately afterward, two other New York lawyers, Milton Friedman and Rhoda Laks, both new figures in the case, appeared before Kaufman asking a stay because of the proximity of the Jewish Sabbath.

Difference on Definition.

They set forth that there is division of opinion among Jews as to when the Jewish Sabbath actually begins, some saying that it is at sundown and some holding that it commences with appearance of the first star. Still others, they said, believe the Sabbath begins at the time the sun sets over Jerusalem.

The two attorneys said their application was based, not on any consideration of the Rosenbergs' guilt or innocence, but upon religious grounds. Miss Laks declared it would be "an outrageous insult to world Jewry to permit the executions to go forward to-night."

Judge Kaufman replied that he too had felt considerable concern over the matter and had been in consultation with Attorney General Brownell, who had assured him the executions would not take place on the Sabbath. Kaufman then ruled their motion for a stay.

(Other pictures in centerfold)

UNDAY, JUNE 21, 1953
Ossining, June 20—Julius and Ethel Rosenberg died in the electric chair in Sing Sing Prison just before sundown on Friday evening.

Julius went first. The first jolt of the current was given him at 8:04 p. m., and he was pronounced dead at 8:06 $\frac{3}{4}$.

Ethel followed him, taking a good deal longer to die, from 8:11 $\frac{1}{2}$ to 8:16.

Since sundown was officially at 8:31, the government had beaten the falling of the Jewish Sabbath by 15 minutes.

Few noted the irony that two people who in their lives had turned their backs on their religious faith should have had their death hour shifted because of that faith.

Both died with the same impassive lack of emotion with which they had spent more than two years in the Death House. Neither of them made any statement before death. Neither one knew which was dying first.

There was only one break in their impassivity. It came when Ethel Rosenberg shook hands with her prison matron, Mrs. Helen Evans, then suddenly pulled Mrs. Evans closer and kissed her. Otherwise she went through her ordeal with composure, and with a faint smile on her thin, tight lips.

Both husband and wife died without any break in their persistent refusal to talk and make any confession.

If the death sentence had been imposed in the hope that the Rosenbergs might shrink from leaving both their two little sons orphaned, and might break the story of the atomic espionage ring, that hope was cheated.

Death, as Justice Douglas has put it, is irrevocable. We shall now probably never know the whole story of the spy conspiracy and there are men in the Kremlin who must be breathing more freely today because Julius and Ethel Rosenberg will now be forever silent.

I was one of the several dozen newspapermen permitted to enter the Administration Building to be briefed on the actual ex-



The Rosenberg children—Michael (left) and Robert.

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execution by the three wire-service reporters who witnessed it.

I think the briefing was a worse experience than watching the deaths would have been. I have watched deaths in war, and there is a reality to it that wipes out words. What we got in the briefing was only the words, carefully chosen by skilled reporters to evoke images, but the reality of death that could have given dignity to the words was not there.

Some of the questions the reporters asked, in their passion for precise detail, only helped to make the whole thing more sickening. I remember especially the reporter who wanted to know what was the color of the smoke that rose from Ethel Rosenberg's head after the first of the five electric charges it took to kill her.

Ethel died very hard—much harder than her husband. Perhaps, despite his stiff pedantic preachings in his Death House letters and his show of toughness, his wife had a greater will to live than he, and a greater life-force in her.

As we got the story, Julius came in first, walking slowly after Rabbi Irving Koslowe, who was reading from the 23d Psalm. As Rosenberg approached the chair, the Rabbi intoned the line, *"Yea, though I walk through the valley of the shadow of death, I shall fear no evil, for Thou art with me."*

The condemned traitor's right-trouser leg was pulled up to the

knee, where the strap was tied. With the first charge, he rose in his chair, his neck and chest and stomach swelled up, then he fell back. After the third charge, the switchman—Joseph Francel, of Cairo, N. Y.—came out of his alcove. The guard ripped Rosenberg's shirt off his hairy chest, the doctors applied their stethoscopes, and one of them said, "I pronounce this man dead."

The limp body was picked up by two guards, placed on a white surgical table, and wheeled out. That was the end of the man who had been such an eager-beaver Communist that he had badgered the highest officials to admit him into espionage work—the man who comforted himself all through his trial and Death House stay with the conviction that the plain people of the world would not let him die.

Five minutes after her husband died, Ethel Rosenberg came into the death chamber. With meticulous detail the briefers described her—plumpish with heavy legs, wearing a loose, dark green print dress.

I don't know why it is that American reporters have to know exactly what fabric a woman is clothed in when she is brought in to die for espionage. At least a half-dozen reporters asked questions about Ethel Rosenberg's dress as if it were a fashion show at Dior's and she were a mannequin showing off the newest creation.

The chaplain read from the 15th and 31st Psalms. The helmet was placed over the woman's head, and the electrodes attached where the hair was cut a bit. A strap was tied just over the top of her breast.

When the first charge came, heavy smoke rose from her helmet to the skylight above the electric chair. This—we were told—had not happened with her husband. We were also told that while the sound of the charge in Julius' case had been a hissing sound, the charge that was applied to Ethel emerged as a frying sound.

When I heard this, I thought of the placards in Washington that were answering the pro-Rosenberg placards, and that had exhorted us to "burn and fry them." One of the sickening things about the last few days has been the collective sadism it has evoked.

The doctors examined Ethel after the first three charges, held a whispered conversation, then one of them said to the switchman, "want another." She was strapped in again, and got two more charges—two more than it took to kill her husband. Then she too was pronounced dead, and her body wheeled out.

That was the end of a woman who had placed her duty as a Communist above her country and, even more, above her two children that she loved so deeply. Her last Death House letter was devoted to her worries over her "baby" Robert, 6, who had a bad case of tonsillitis and seemed so frightened by everything that he could scarcely utter a word.

The most dramatic event while the death watch was being maintained outside the prison gates was the arrival of David Rosenberg, brother of Julius. He drove up with his wife and an unidentified woman in a car with a Massachusetts license plate. There was a folded baby-carriage in the back seat, and perhaps I was sentimental but I couldn't help thinking of the Rosenberg boys.

Only David Rosenberg—a stocky, neatly dressed man—was allowed into the building, since he alone was a member of the immediate family. He arrived at 6:15 and came out again in 20 minutes, at 6:35. He could scarcely have had enough time to get to the Death House and back. The report was that he had come too late, since no relatives are admitted within two hours of the time set for an execution.

If so, this means that the Rosenbergs died without seeing any of their kin on their last day. Several days earlier, before Justice Douglas issued his stay, Julius' mother had brought the two boys, Michael and Robert, for a last visit. On the day of execution the boys were in New Jersey with relatives, and their grandmother was in Washington in the protest delegations.

None of the Greenglass family, on Ethel Rosenberg's side, had visited the pair for some time. The last visit was by Ethel's mother, several months ago. There has been great bitterness between the two branches of the family, with the Rosenbergs sticking by the pair and the Greenglasses urging them to talk.

I don't think I shall ever forget the half-mile walk from the prison back to town when the long day ended.

The people along the road were out on their porches or on the sidewalk, clustered around their cars, listening to the radio, talking and laughing. I heard one child tell another she wished she could throw the switch. There were geraniums in the window-boxes, trellises of roses, hedges adorned with lily paper cups discarded by the press. A pair of lovers walked down the road, laughing and holding hands.

All over the world, millions of people were waiting for the word that many dreaded, others welcomed. Most of them will attack America, forgetting or ignoring the fact that there have been 19 reviews and appeals in the Rosenberg case, including two clemency appeals to President Eisenhower.

There is no question that there has been due process of law in this case. Nor can there be any question that the Rosenbergs were involved in atomic espionage.

The real question is whether the death sentence was either necessary or wise. President Eisenhower, who does care about psychological warfare, had ignored in this case the terrible defeat America has suffered in its psychological warfare struggle with the Kremlin. The Rosenbergs are dead, but the propaganda battle which exploits their death will go on.

'Committee' Refuses to Leave Families Alone Even in Death

By JEFF ROCHE

The 71-year-old mothers of Julius and Ethel Rosenberg needed medical aid last night after they learned the pair had died in the Sing Sing electric chair.

Mrs. Sophie Rosenberg was in her Washington Heights apartment and Mrs. Tessie Greenglass, mother of Ethel, in her rooms behind a closed machine shop on the Lower East Side.

Representatives of the National Committee to Secure Justice in the Rosenberg case, a group made up of left-wingers and followers of the Communist Party line, were on hand at both homes. They were chased away at the home of Ethel's mother.

Mrs. Rosenberg, looking worn and pale, arrived at her home, 36 Laurel ter., Washington Heights, at 7:12 last night accompanied by a girl in a white shirt waist and black skirt.

"I'm from the National Committee," she announced.

As a photographer focused to take her picture she screamed:

"I'll break your ----- camera and slap you in the face with it."

He took the picture.

The girl hurried Mrs. Rosenberg to her apartment, 2-E, in the six story building, and slammed the door.

"I don't know what to do," Mrs. Rosenberg said plaintively.

MORE 'AIDES' ARRIVE.

At 7:25 another woman appeared and rapped on the Rosenberg door.

"It's Mary, from the committee," she said when the girl inside asked who was knocking. She was admitted.

At 7:57 another woman ap-

peared at the Rosenberg door. She knocked and said:

"I'm Emily. I was sent here by the committee."

She remained inside only until 8:04 but there were sounds of someone making telephone calls.

At 8:30 "Mary" went out and came back with a bag of groceries.

"She doesn't know Julius has gone," Mary said.

The girl who had arrived with Mrs. Rosenberg came out later and told reporters:

"We have called for a doctor. Don't give me a hard time, brother. I'm not authorized by the committee to make any statements. She's a sick, tiny old lady.

Later a woman who said she represented the "committee" said the doctor was remaining in the apartment with Mrs. Rosenberg "indefinitely—because she is a very sick woman."

MOTHER INFORMED.

She said Mrs. Rosenberg had been told of the electrocutions after the doctor arrived.

Mr. and Mrs. Robert Blumenthal, both 23, live in apartment 2-G, next door to Mrs. Rosenberg. He is a textile salesman and she is a bookkeeper.

"I have met her only casually," said Blumenthal. "I never knew she was the mother of Julius Rosenberg."

Under the shadow of the Williamsburg Bridge at 64 Sheriff

st., in the teaming Lower East Side, Mrs. Tessie Greenglass lighted four Sabbath candles even as her daughter died in the Sing Sing electric chair.

Here, again, the left wingers tried to capitalize on the tragedy of a mother whose daughter intrigued to have her brother, David, pass over the atomic secrets from the Los Alamos, N. M., project, where he was an Army sergeant.

David is serving 15 years for his part in the betrayal of his country.

Two women who said they were sent by the "committee" pounded at the Greenglass door for admittance.

"We want her to phone President Eisenhower to stop the execution," one said.

Mrs. Greenglass, apparently aware who her callers were, must have called police.

A radio car pulled up and the women were ordered to leave.

There was a crowd of about 50 outside the door, but they stood quietly.

"I've known that couple all their lives," said one man.

"They are absolutely no good. They broke their mothers' hearts and ruined the lives of their kids. They just want to make martyrs of themselves for the Reds in Russia."

A doctor arrived later and spent a few minutes. He said he had given Mrs. Greenglass a sedative, but that she was not ill.

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5,000 Scattered Police Break Up 'Funeral March'

A demonstration in behalf of the Rosenberg atom spies that reached near hysterical proportions was broken up by police in Union Square last night to the cheers of a group of people waving American flags.

Some 5,000 gathered at the 17th st. end of the square for the meeting, sponsored by the Committee to secure Justice in the Rosenberg Case long before the spies went to their deaths in the electric chair at Sing Sing.

The square was ringed by police under Deputy Chief Inspector Patrick J. Kirley, commanding Manhattan East.

When word came that the Rosenbergs had paid the penalty the crowd screamed, apparently in response to pre-arranged signal.

WOMAN FAINTS

A woman fell to the pavement, beating her fists and sobbing wildly. Another woman fainted and was carried away by police.

"Ethel and Julius Rosenberg have been executed," a woman's voice said over a public address system.

Moments later, the temper of the crowd verged on delirium. The throng shifted about omniously. There were screams, yells and cries.

"Shut off that loud speaker," Kirley ordered, and a policeman jumped into the sound truck.

From a group of people peering out of windows on the ninth floor of a nearby building, and waving American flags, came cries:

"Go home, you Communist
— Go home, you Communist rats."

Kirley moved his police into action.

Grimly they started into the crowd as mounted policemen rode in from side streets.

BANNERS DROPPED.

Some of the crowd in the square had been holding banners.

"Take those banners down," ordered Kirley. "There will be no parading. Take those banners down."

The banners disappeared.

The would-be funeral march for the Rosenbergs became disorganized.

The mounted police rode in among the demonstrators, herded them into small groups and out onto 5th ave., where foot patrolmen kept them moving.

In minutes the last vestige of a "demonstration" was over.

Police Commissioner Monaghan early last night alerted all commands to watch out for and break up any demonstrations in behalf of the Rosenbergs.

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Judge Closes Up Case As 2 Spies Go to Chair

At the time the Rosenbergs were being put to death last night Federal Judge Irving R. Kaufman, the man who pronounced the death sentence, was in his chambers in the Foley Square Federal Court House attending to last-minute developments in the case.

After having been informed by telephone that the spies had gone to the electric chair, the judge left the Federal Building for his country home at 8:45 o'clock. He was escorted by two agents of the Federal Bureau of Investigation.

Irving H. Saypol, former United States Attorney who had headed the prosecution staff in the case, had announced earlier that he would go to his summer home in Long Branch, N. J. Mr. Saypol is now a New York State Supreme Court justice.

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Spies' Mothers Refuse to Talk to newsmen; A Doctor Calls on Each in Apartments Here

Neither of the mothers of Julius and Ethel Rosenberg, convicted atom spies, would comment to newspaper men yesterday after their children had lost a last-minute legal fight before the Supreme Court and had died in the electric chair.

Mrs. Sophie Rosenberg, 71-year-old mother of Julius Rosenberg, arrived at her home at 36 Laurel Hill Terrace in Washington Heights shortly after 7 P. M. but went directly to her second-floor apartment without talking to reporters. She was accompanied by a young woman who would say only that she was "a member of the national committee."

Until 8 o'clock a radio could be heard from inside the apartment and a man and another woman arrived. The woman later came out to say that word of the execution had been received by telephone but added that Mrs. Rosenberg would not be told until her friends decided it was proper. An unidentified doctor joined the group caring for the elderly woman shortly before 10 P. M.

At the home of Mrs. Tessie Greenglass, the mother of Ethel Rosenberg, reporters had heard a radio playing music before the Supreme Court announced at noon its decision to permit the execution. After the decision was broadcast the radio was turned off and

there was no answer to repeated inquiries from the hallway of the house at 64 Sheriff Street.

By 7 P. M. more than fifty persons had congregated in the lower East Side block. Many carried portable radios, and others began to peer from tenements across the street toward the windows in Mrs. Greenglass' apartment. The Rosenbergs had lived on Lewis Street, three blocks away, and Mrs. Greenglass has been a resident of the neighborhood for more than forty years.

At one point two young women appeared and knocked at the woman's door, shouting "Ruth" and "Mrs. Greenglass." They waited several minutes, explaining they had come to help and to urge her to appeal once again to President Eisenhower. They got no response.

The narrow street outside was noisy with chatter from the growing crowd and music from radios, but it became silent when announcement of the executions was made.

The lights in Mrs. Greenglass' ground-floor apartment were turned on shortly after 9 P. M., and a doctor visited her for twenty minutes. He said she had collapsed and he had given her a sedative. He said he felt she would need no further medical treatment at that time.

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A-Spies Used Last Hours To Write Out Their Wills

By LEON RACHT

OSSINING, June 20.—In their last hours before they marched to the electric chair, Ethel and Julius Rosenberg carefully wrote out their last wills and testaments, Warden Wilfred Denno revealed today.

The wills were drawn up while Julius and his wife conversed through a heavy metal screen set up in front of Ethel's cell in the women's section of the death house on their last day on earth.

Denno refused to disclose the contents of the wills or whether they contained a final protestation of innocence of the crime for which they became the first civilians ever executed in peacetime, espionage. The warden added:

"They designated the person to whom they wanted the wills to go—and it would be improper for me to tell what was in them without authorization from that person.

Warden Provided Witnesses

"It was late yesterday afternoon when the Rosenbergs sent word to me that they wanted to write out their wills and they designated several persons they wanted to witness the documents. Within limits, I provided those witnesses.

"Each carefully made out his own will. They were in long hand and written in ink on ordinary writing paper.

"The wills were handed to me at 7:20 p. m. when it was necessary to separate the condemned couple and prepare them for their impending execution."

Up to 2 p. m. today, no member of the family of either husband or wife had appeared at Sing Sing to pick up the wills or arrange for the disposition of the Rosenbergs' bodies.

Since the Rosenbergs were Federal prisoners, Warden Denno said he had to obtain authorization from the Justice Department in Washington to release their bodies to the families.

Denno said Emanuel Bloch, the Rosenberg lawyer, who

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had waged a 26-month battle to save the Rosenbergs, informed him several days ago that the family would claim the bodies if the execution took place.

The sun was slipping behind the Palisades crags at 8:19 last night when a blue shirted guard in Tower 13, high above the main gate of Sing Sing, brought up his hands and turned thumbs down in the ancient symbol of doom.

Then the guard swept his hands across each other, much like a baseball umpire calling a player safe.

That was how the outside world last night got the flash that the Rosenbergs had paid for their treachery in the electric chair.

The signal came as witnesses to the executions streamed out of the death house within sight of the guard and clamored back into the van which had brought them there but a few minutes earlier.

There were no cries, no cheers, not even conversation. For a moment the ominous quiet hung as heavily as the heat mists over the river. You could fairly feel it.

Then it was broken by racing feet on the gravel in the yard. Reporters sped pell-mell for telephones strung on the outside gate to give the news to their desks that the Rosenbergs were dead.

The immediate reaction of most of those standing the death watch outside was one of unbelief.

Somehow there was a general feeling that the spies would never die last night, that either something would arise at the last minute to save them again or that they would pay the price for their lives the Government wanted—an admission of guilt and a complete picture of the sinister network in which they were enmeshed.

"We confess, give us mercy."

Those five words uttered before they entered the execution chamber would have saved the dumpy East Side housewife and her electrical engineer husband.

But they never came, as many thought they would.

Today, in the ghostly silence of the prison's little morgue, the bodies of the Rosenbergs lay unclaimed by relatives or representatives of their families.

However, prison authorities said they had been assured by family representatives that a hearse would be sent up to Ossining to remove the bodies possibly after sundown. It was explained that Jewish law prohibits funerals or the movement of bodies on the Sabbath.

Funeral Tomorrow

It was expected the earliest date for the double funeral of the Rosenbergs would be tomorrow—but where the services would be held was unknown.

There was also talk that the arch traitors would be cremated—but this was regarded as unlikely since they had died embracing the Jewish faith. They once proclaimed themselves atheists.

Cremation is forbidden in the Jewish religion.

The contrast to the feverish excitement at the prison gates, preceding the pre-sundown execution yesterday, only a half-dozen reporters and photographers waited today for the arrival of some member of the family. None came.

Warden Denno said no one had contacted him yet in connection with the disposal of the bodies.

The scene outside the prison was as dramatic as any that could be dreamed up by a movie scenarist, even though it was marked by a complete absence of demonstrations.

The yard, some 200 feet wide and a quarter of a mile long was alive with activity throughout the day. Only newspaper, radio and newsreel men were permitted inside the barricades. Fifty State Troopers under Capt. D. F. Glasheen of the Hawthorne Barracks added sombre color in their purple-piped gray uniforms, each swinging a billy.

A generator kept humming, set up by movie men to power Kleig lights. Every person who went in or out of the gates was photographed to the pop of 100 flash bulbs. Everyone was interviewed. License numbers of cars permitted through the barricades were jotted down and checked to ascertain the owners. A small plane carrying newspaper men darted and wheeled over the prison.

Rabbi Rushes to Prison

The first person to enter the prison who was actually connected with the Rosenberg case was Rabbi Irving Koslowe of Mamaroneck. He arrived at 3 p. m. when he heard that the executions had been ordered. Through the more than

two years the spies were in the death house, the rabbi had been visiting them at least once a week.

He said that if the executions were to be at the customary hour of 11 p. m.—and if the Rosenbergs requested it—he would seek to have them deferred until after the Jewish Sabbath, which begins at sundown Friday.

But, shortly after the rabbi's arrival, Warden Wilfred L. Denno sent out word that the couple would be put to death before 8:31 p. m. which was official sundown time.

From the time of the announcement every moment was packed with drama. Newspapermen began ticking off the minutes. They knew Department of Justice agents were in the prison ready to talk with the Rosenbergs should they indicate they wanted to make a clean breast of it. They knew that if that happened the double electrocution would never come off.

Tension grew as the minutes, then hours passed and nothing but silence came from the prison.

U. S. Marshall William A. Carroll and his chief deputy, Thomas Farley, arrived at 4 p. m. They only shook their heads when asked for comment.

Ossining Police Chief Spencer Purdy had his entire force and a complement of deputy sheriffs posted on key streets leading to the prison. Barricades were put up at the end of Hunter st., a mile from the prison barriers.

Word had come that a huge demonstration was being planned for Union Square in New York and that 1,500 sympathizers were preparing to come by train to march on the prison. A detachment of police was sent to the depot but the precaution proved unnecessary.

Throughout the day a sort of carnival atmosphere hovered over Hunter st., where residents gathered. The Bar Harbor tavern did a rushing business. A hamburger stand a short distance from the prison sold out in a few hours. Some of the prison neighbors stood on rooftops to get a better view, unmindful of the boiling sun.

Perhaps the most dramatic moment outside came when a car with Massachusetts and British license plates drove up to the barricade at 6:15 p. m. Two women and a man were in the front seat. The man was David Rosenberg, brother of Julius. He held a folded newspaper flat against his face. The women covered up with jackets.

One of the women identified herself to guards as "Mrs. Rosenberg," presumably David's wife. The other woman who was driving refused her name. The brother was permitted to pass the barrier, the newspaper still shielding his face. He wore a dark blue suit and gray Homburg.

Unable to see where he was going because of the paper, Rosenberg stumbled into a photographer.

"Why don't you get out of the way?" he snapped.

Finally, after bumping into another camera man he broke into a run for the gate and was permitted to enter.

Since no visitors are permitted the condemned for two hours before their execution, David was not allowed to see Julius who had just bade his wife goodbye.

He came out in 20 minutes, his face still shielded but this time two guards gripped his elbows. He was put into a local police car and driven off, refusing to answer a question on whether he had seen his brother.

By prior arrangement, reporters who were not permitted to witness the executions were to have reported in the warden's office at 10 p. m. But with time of death moved up, a message was sent out to come into the prison at 7, and there was a rush for the gate.

by International News Service reporter Bob Considine while the other officials who were in the death chamber stood by, including the two prison physicians, Drs. George McCracken and Harold W. Kipp.

Everyone had expected the Rosenbergs would make statements before going to their deaths, a privilege always accorded the doomed.

But, except for the macabre touch added when it was explained that Ethel Rosenberg's heart was still beating after three electric shocks, the executions were no more unusual than the ordinary routine of condemned murderers.

The briefing lasted 10 minutes and then there was a mad scramble for the doors and telephones. But, outside, the guard in the turret had already given the news to the reporters in the yard and the news had begun to flash around the world.

Rabbi Koslowe was pale and overwrought after it was over. He paced back and forth shaking his head. All he would say was that the Rosenbergs had asked for his presence.

Mrs. Helen Evans, the matron whom Ethel had embraced, was also near the breaking point. She hurried, distraught, to her apartment in Ossining. Reporters found her there but she was too upset to talk.

"I can't remember anything, I'm sorry," she said in a half sob.

She was asked what Ethel had said as they embraced.

"Just goodbye," she said. "I can't remember anything else."

This reporter sat through the briefing with Rene Fernier, correspondent for the French News Agency. He had witnessed executions by the guillotine, and his impression was that death under the blade, while more gruesome, is more humane.

Considine Briefs Reporters

The three wire service reporters who were permitted into the death chamber led the way into the administration building. Thirty-three other newsmen, many of them foreign correspondents for European papers, were herded into the big audience room where they waited for a briefing on the execution from the witnesses.

Only one was barred, Robert Hall, a reporter for the Communist Daily Worker. He was stopped by chief prison clerk Joe Gondek who explained, "we're just too crowded."

When the reporters left the prison later they saw Hall, whose paper has been most vehement in defending the spies, leaning against a prison gate.

Next to him was a sign that read:

"Stop—Dead End."

The briefing room, normally used for visitors to inmates, was unbearably hot as the reporters waited, talking mostly whispers, if at all. Even then, most felt that something might happen which would stall the execution again.

At 8:21 the death house van made its return trip, passing windows of the briefing room.

Had the Rosenbergs died? No one knew and no one did until the witnesses came in. The briefing was given

Rosenberg Spy Case Emphasizes The Fairness of American Justice

Now that the convicted atom spies, Julius and Ethel Rosenberg, have paid for their infamy in the electric chair, we may expect the Communists here and all over the world to redouble their propaganda efforts to villify the American court system and our democratic way of life.

Actually every true American can look the rest of the world in the eye, with the knowledge that full and even-handed justice had been extended to the traitorous couple.

Enormity of the Crime

We must keep in mind the enormity of their crime, involving, as President Eisenhower well said, "the deliberate betrayal of the entire nation and could very well result in the death of many, many thousands of innocent citizens."

What would be the fate of anyone guilty of such a crime in Soviet Russia for whom the Rosenbergs conducted their dirty business?

A firing squad after a phony trial—If they were given even a pro forma trial—would be the Communist way.

But here in free America, they had a long, fair trial before a jury of their peers. They had able counsel. They made appeal after appeal, all the way to the United States Supreme Court. Their case was considered by the full bench there several times and also by individual judges.

Almost on the eve of their execution they secured a stay from Justice William O. Douglas but finally the last word was said by the full court. Then President Eisenhower, for the second time, made a close study of a plea for clemency and refused to grant it.

The Rosenbergs had been indicted in August, 1950, convicted March 20, 1951, and sentenced to death April 5, 1951. So the wheels of justice revolved for two years and over two months before our court system was finally satisfied of their guilt beyond a shadow of a doubt.

The extent to which every angle was explored is demonstrated by the final move which led Justice Douglas to issue a stay. This proved to be a particularly sorry chapter in the history of American courts. The claim made was that the defendants should have been tried under the 1946 Atomic Energy Act instead of the General Espionage law. But it was shown that the Rosenbergs' espionage acts were committed before 1946.

There is no question that Justice Douglas was well within his rights in hearing the plea even though the defendants' own lawyers did not raise it. But it is hard to see how the Justice could find this thin technicality sufficient to order a stay and particularly to instruct the trial court to hear arguments on it and decide it. The fact that he then left for the West Coast shows that he intended this action to tie up the progress of the case for a considerable period.

What is it that made the Rosenbergs turn traitor and commit such a foul crime?

Lesson to Other Traitors

Here they were living in a land of liberty where there is opportunity for all. Yet, of all countries, they chose to align themselves with Soviet Russia, a cold-blooded dictatorship, where there is no liberty. It is really a militaristic empire and the tyrants in the saddle rule by the sword alone.

The Rosenbergs made their own free choice. Now they have paid the penalty for it. Many Americans will feel they got far greater consideration in our courts than they deserved. But the strength of our system of justice is that all are treated alike, no matter what their religion or their racial background or even their ideology.

We hope the fate of the Rosenbergs will be a lesson to all other traitors and spies still operating among us.

CLIPPING FROM THE

N.Y. BROOKLYN EAGLE

DATED JUN 21 1953

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65-15348-A-1162

A-Spies' Bodies Here, Rites Today

By I. KAUFMAN

The bodies of Julius and Ethel Rosenberg, convicted and executed atom spies for Russia, were brought to Brooklyn yesterday for the last grim act of their long-drawn-out drama of treason and punishment.

At Sing Sing Prison, the remains were claimed by Julius Rosenberg's mother and turned over at 3:40 p.m. to a Brooklyn undertaker. At 5:15 p.m. the bodies, lying side by side in body bags, arrived in a black, all-steel station wagon before the I. J. Morris Funeral Home, 9701 Church Ave.

Swiftly the funeral wagon slid into a closed garage. There were no ceremonies and no form of greeting. A group of 25 or 30 persons, chiefly teenagers, stood around, talking, laughing, clowning.

Whether they knew who the arriving dead were wasn't certain. In the six-story apartment house across the street, only one or two faces could be seen at windows. The neighborhood, evidently, didn't know.

Funeral at 2 p.m.

Beginning at 9 p.m., a spokesman for the undertaker said, the bodies would lie in state—throughout the night, if people kept coming—and until 2 p.m. today.

At that time the funeral service would be held in the main chapel of the Home, which can hold 500 persons. To that, only invited ticket holders

will be admitted. Burial will follow, at 4:30 p.m. today, in Wellwood Cemetery, Pinelawn.

Funeral arrangements were made by the National Committee to Secure Justice in the Rosenberg Case, of 1050 6th Ave., Manhattan, which had fought in vain to save the convicted husband and wife from death.

Theodore Jacobs, a committee spokesman, said the couple would "lie in state with honor guards from various boroughs who will relieve each other every two hours all night long."

The funeral services will be Jewish Orthodox, the undertaker said. The bodies will lie in twin oak caskets with octagonal ends and hinge panels, so that head and upper part of the bodies will be visible.

Julius Rosenberg's body will be draped in a white muslin garment, a Jewish prayer shawl and traditional (Orthodox) skull cap. His wife in a white shroud.

In a statement issued while the bodies were moving from the Sing Sing death house to the Brooklyn funeral parlor, the Committee to Secure Jus-

tice in the Rosenberg Case said:

"We shall continue to fight until the Rosenbergs' names are cleared and their innocence is proved." Eventually, a committee spokesman said, a monument would be erected "in honor of the Rosenbergs."

The pair were electrocuted for what was called "a crime worse than murder"—passing atom bomb secrets to Russia that enabled the Kremlin to produce its own bombs well ahead of schedule.

Police On Guard

Joseph Morris of the undertaker's establishment accompanied the bodies from Ossining, in a hearse driven by chauffeur Jerry Brown. Officiating at the funeral will be Maurice Erstling, former president of the Cantors Association of New York.

Half a dozen police, under a sergeant, took up posts in the vicinity of the funeral home at about the time the bodies arrived. Assistant Chief Inspector David A. Condon said he would have up to 200 men available, if needed, up to and through the funeral.

The funeral cavalcade of automobiles will leave at 3 p.m. and proceed along Rockaway Parkway, Linden Boulevard, Sunrise Highway, Wellwood Ave., then to the cemetery, which is east of Farmingdale.

Mrs. Sophie Rosenberg, who

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ROSENBERG FUNERAL TODAY

Rosenbergs Wrote Separate Wills In Death House

Continued from Page 1

had stood by her son and daughter-in-law to the end, did not come to the prison to claim the bodies personally.

The Rosenbergs were electrocuted a few minutes before the beginning of the Jewish Sabbath at sundown Friday. Rosenberg, 35, and his plump little 37-year-old wife went to their deaths silently. They had protested their innocence during their two years in Sing Sing's death row. When the hour of their execution came, they had nothing to say.

Under Jewish religious practice, neither funerals nor mourning are permitted on the Sabbath, which ends at sundown Saturday. But it was permissible for the bodies to be prepared for burial.

Children Absent

The elder Mrs. Rosenberg and Mrs. Tessie Greenglass,

Ethel's mother, will attend the funeral, but the two Rosenberg children, Michael, 10, and Robert, 6, will not be there, Jacobs said.

Mrs. Sophie Rosenberg had visited the doomed couple at Sing Sing Wednesday to bid them goodbye, but Mrs. Greenglass did not go to the prison for a farewell visit. Her son, David, serving 15 years in a Federal prison for his part in the spy plot, was the key Government witness against the Rosenbergs.

Jacobs said that in addition to Cantor Erstling, Rabbi Abraham Cronbach, of Cincinnati, professor emeritus of Hebrew Union College, will officiate.

Cronbach was one of three rabbis who asked President Eisenhower for clemency for the Rosenbergs last week.

Reds Charge 'Murder'

It was not learned whether any new demonstrations would be held in behalf of the Rosenbergs executed for a crime President Eisenhower said had betrayed the entire nation and threatened millions with death in atomic war.

The Communist newspaper, the Daily Worker, devoted most of its weekend edition to the Rosenberg case. The lead story said the Rosenbergs "were murdered in the electric chair . . . because they would not buy their lives from the FBI by agreeing to 'finger' other innocent Americans to feed more fake 'spy' hysterics."

The newspaper also compared the fate of the Rosenbergs with that of John Brown, the abolitionist, whose attack on Harper's Ferry in 1859 brought about his death by hanging and inspired the song, "John Brown's Body."

Quiet in Washington

European Communist propaganda machines ground out protests against the executions of the spies and hailed the Rosenbergs as martyrs. Police maintained unusual security watches against new Red-inspired violence that followed Friday night's demonstrations.

The main demonstrations were staged in Paris and London. Other protests were made in Italian cities, where leftist work stoppages were called.

There were no signs of any demonstrations in Washington, however. Pickets who had marched in front of the White House all week halted their vigil at sundown Friday night, minutes after the Rosenbergs were pronounced dead.

Ossining, June 20 (U.P.)—Sing Sing officials said Julius and Ethel Rosenberg, before their execution as atom spies, wrote separate wills, which were witnessed by prison employees. The witnesses would not disclose the contents of the wills.

With the death of Mrs. Rosenberg, the 568th person to be electrocuted at Sing Sing, the women's wing of the prison was closed and the four matrons who had guarded her around the clock were dismissed.

Mrs. Rosenberg spent 801 days in the death house, longer than any of the seven women executed there before her. It cost the Government \$28.60 a day to keep her there, a total of \$30,918.60.

Her husband was confined to death row for 767 days. The total charges for his confinement were \$3,399.91.

The State's total bill to the Government was \$34,318.51, plus the \$300 electrocution fee and miscellaneous items.

Her Final Words...

SUNDAY, JUNE 21, 1953

By WATSON SIMS

Ossining, June 20 (AP)—Two hours after the Rosenbergs died, a gray-haired woman stood alone, gazing out of an apartment window. She stared toward the prison, less than a mile away, her hands nervously fingering a curtain cord.

"You Mrs. Evans?" a reporter called from the sidewalk.

Mrs. Helen Evans, prison matron, was the last person to

speak with Ethel Rosenberg before she died.

The matron had followed the doomed woman into the death chamber, Mrs. Rosenberg had turned then and waved. Impulsively, she had clasped the matron's hands and spoken in a whisper. Mrs. Evans had tried to answer but her voice choked. Mrs. Rosenberg kissed her and turned to the chair.

The matron had left as guards

clamped a mask over Mrs. Rosenberg's face.

"What do you want?" the woman asked the reporter, her voice choked.

"Could I see you for a moment?"

"No," she sobbed.

"Mrs. Evans," she was asked, "what did Mrs. Rosenberg say in the death house?"

Mrs. Evans wept.

Lost in Sobs

"I'm sorry," she said in a broken voice. "I just can't talk now. I can't remember anything. I'm sorry."

The reporter asked what Mrs. Rosenberg had said as they embraced.

Again, Mrs. Evans said she was unable to talk or think.

Asked the reporter: "Did she just say goodbye?"

"Yes, just goodbye," Mrs.

Evans said shakily. "I can't remember."

She backed away from the window.

The reporter turned and walked two doors, then saw Mrs. Evans back at the window, again fingering the cord.

"Mrs. Evans," he called, "is there anything I can do?"

"No. Nobody can do anything."

She continued to stare in the direction of the prison.

N.Y. POST

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Funeral and Burial Today

Tribune
6/21/53 P.1

Caskets of Rosenbergs Kept Open All Night at Brooklyn Mortuary

By John C. Rogers

The bodies of Julius and Ethel Rosenberg, the atom spies executed Friday at Sing Sing Prison, were brought to New York yesterday and were to be on public view all night at a Brooklyn funeral home with funeral and burial today.

The left-wing National Committee to Secure Justice in the Rosenberg Case, which said the Rosenbergs would "lie in state" with an "honor guard" posted beside them, was in charge of the all-night display and of the funeral arrangements.

The committee, with headquarters at 1050 Avenue of the Americas, between 44th and 45th Sts., contends the Rosenbergs are martyrs to American hysteria, just as "The Worker," New York's Communist publication, charged yesterday. In addition, the committee said it is planning to erect a monument over the Rosenbergs' graves.

Claimant of the bodies at 3 p. m. yesterday at Sing Sing was I. J. Morris, Inc., undertakers of 9703 Church Ave., Brooklyn, acting for Mrs. Sophie Rosenberg, mother of Julius Rosenberg.

The hearse with the two coffins arrived at the Morris funeral home at 5:15 p. m. and the bodies went on public view at 9 o'clock. They were to be on view until just before the funeral service at 2 p. m. today.

Admittance to the funeral service in the 500-seat chapel, largest in the city, will be by card only. Maurice Erstling, former president of the Cantors Association of New York, will conduct the final Jewish rites.

Two hundred police were available, for duty, if needed,

while the bodies lay in state, and will be on call this afternoon for the funeral cortege to Wellwood Cemetery in Pine Lawn, L. I., near Farmingdale.

The mothers of the dead spies—Mrs. Rosenberg and Mrs. Tessie Greenglass—were expected to attend the funeral but the Rosenberg children, Michael, ten, and Robert, six, were not. The sons have been staying with family friends in Toms River, N. J.

It was disclosed at Sing Sing yesterday that on Friday each of the Rosenbergs drew up a will and had it witnessed by prison employees. The contents were not known.

Sing Sing officials, counting the cost to the Federal government of the state's long maintenance and execution of the Rosenbergs, said yesterday the total bill came to \$34,618.51, plus the executioner's traveling expenses to and from the prison and plus the cost of extra telegrams and telephone calls which were caused by the Rosenberg case.

Rosenberg lived in the death house for 767 days and his wife, 801 days. After their trial and sentence together, she was moved to Sing Sing almost im-

mediately while he was kept in New York for a period. The four special matrons hired to attend her—the only woman in the death house for more than two years—were discharged yesterday.

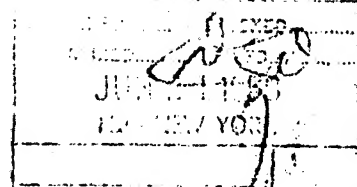
Representatives of the Rosenberg committee said yesterday the organization probably will continue indefinitely. They said they would continue to publicize the "full facts" of the case and to help support the Rosenberg children and the children of Morton Sobell, a radar expert, tried with the Rosenbergs and sentenced to thirty years.

Emanuel Bloch, chief Rosenberg counsel, passed most of yesterday in a hotel in Washington, where he had gone Friday in another last-minute effort to save his clients.

In Washington, according to the Associated Press, he said yesterday that he could not estimate the costs of the defense, but added that neither he or any other defense lawyers made any money.

"We took an awful beating on that," he said.

Department of Justice officials estimated the total cost of convicting and executing the Rosenbergs at about \$150,000.



N.Y. HERALD TRIBUNE

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Thousands Drawn to Bier of A-Spies

By Joe Martin and Sid Kline

Even 24 hours after their execution the case of A-spies Julius and Ethel Rosenberg remained very much alive last night. Thousands of sympathizers and curiosity seekers converged on a funeral chapel at Church Ave. and Rockaway Parkway, Brooklyn, where the traitors' bodies—flanked by four American flags—were laid out in preparation for burial today.

When the public was admitted at 9:45 P. M. to the I. J. Morris Funeral Chapel, 9703 Church Ave., 500 were waiting in line, and 1,000 more were in the neighborhood. The funeral home reported 1,000 telephone calls asking whether the public would be admitted.

With the left wing National Committee to Secure Justice in the Rosenberg Case whipping up emotion, plans called for an "honor guard" alongside the caskets as the husband-wife spy team lay in "state."

25 Cops Present.

Viewing of the "martyrs" bodies was to continue all night and until 1 P. M. today, one hour before the funeral services.

Some 25 cops, bolstered by civilian defense auxiliary police maintained order.

In wooden hinged-panel caskets engraved with the Star of David, the couple lay side by side in the second-floor chapel. There was only one spray, of roses and lilies, from the Bronx Committee to Save the Rosenbergs.

Lawyer Calls.

Head wrapped in white muslin, a white veil over her face, Ethel's body lay in a white shroud. Julius' body, also in a white shroud, had a skull cap and lavender-gold prayer shawl.

Just before the doors were opened to the public, 15 at a time in lines five abreast, Emmanuel H. Bloch, the couple's lawyer, pushed his way through the crowd and went directly to the chapel. He had no statement.

Julius' mother, Sophie, had ordered the Morris funeral establishment to claim the bodies at Sing Sing, and they were taken to the chapel by hearse shortly after 6 P. M.

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Children in Crowd.

A hundred or more spectators were gathered outside the funeral establishment when the bodies arrived. Most were children. Six patrolmen and a sergeant were on duty in the vicinity. There was no demonstration.

Police planned to increase the detail as required. For today, with demonstrations anticipated, a sizable force was scheduled for duty, to be commanded by Assistant Chief Inspector David Condon, in charge of Brooklyn uniformed police. The detail was to include two captains, 10 sergeants, 150 foot patrolmen and 21 mounted police, headed by a sergeant.

Rabbi Abraham Cronbach, professor emeritus of Hebrew Union College, Cincinnati, one of a group of clergymen who called at the White House last week in a vain effort to win executive clemency from President Eisenhower, was to officiate at today's 2 P. M. funeral. The cantor was to be Maurice Erstling, formerly president of the Cantors Association of New York.

The funeral home's main chapel, in which rites were scheduled, seats 500, and admission was to be by ticket only. However, with thousands expected to attend, a loudspeaker system was to be rigged up for those outside.

Mothers of both the dead spies, Mrs. Rosenberg and Mrs. Tessie Greenglass, were expected to attend. However, the couple's children, Michael Rosenberg, 10, and Robert, 6, who have been staying with family friends in Toms River, N. J., will not be present.

Burial, expected about 4:30 P. M., was to be in Wellwood Cemetery, Pinelawn, L. I. The

committee said it planned to erect a memorial later.

As funeral arrangements proceeded, a dramatic sidelight on the Rosenberg case was disclosed by U. S. Marshal William A. Carroll. Even while strapped in the electric chair, awaiting the lethal current that snuffed out their lives, the Rosenbergs could have averted ex-

ecution by indicating they were ready to tell the Government about their atom conspiracy, he said.

Carroll, who represented the Federal Government at Friday night's electrocutions, made the disclosure in Sing Sing as the undertaker removed the bodies of the husband-and-wife spy team.

"I had authority to hold up the

executions up to the very end," said Carroll. "There was a direct wire open to Washington from the prison. I had instructions to halt the executions at any time if I felt the Rosenbergs were ready to cooperate with the Government.

"If either had given any such indication, I would have reported at once to Washington. But neither one did."

It was Carroll who informed the couple officially at 5 P. M. that they were to die three hours later. At that meeting, Carroll said, he transmitted a message to them from defense attorney Bloch, expressing regret at their fate and repeating that he had done everything in his power to help them.

"Neither moved a muscle at my notification," said Carroll. "I don't think they even bothered to acknowledge my action in giving them Bloch's message."

Tomorrow Carroll will gather up the Rosenbergs' effects—clothing, books and letters—and put them under lock and key pending final disposition.

Who will get the things they left in prison, and other property, was decided by the doomed pair in the last 48 hours of their lives. Each made an individual will in the death

house. Two prison employees were the witnesses. Warden Wilfred Denno refused to divulge the contents of the documents.

"It is intimate, confidential information," he said. "When the

wills are probated the details will come out."

A Justice Department spokesman estimated the cost of convicting, imprisoning and executing the couple at about \$750,000.

(Other pics on 1 and back page)

Spies Bodies on View, B'klyn Funeral Today

By RICHARD WILSON

The highly-organized but unsuccessful campaign to gain clemency for Julius and Ethel Rosenberg was transformed into a propaganda drive to make Sacco-Vanzetti-type martyrs out of the executed atom spies last night as the bodies were laid out in a stuffy Brooklyn funeral parlor, under the eyes of a self-designated "guard" of militant sympathizers.

Mrs. Sophie Rosenberg, 71, of 36 Laurel Hill Terrace, Washington Heights, mother of Julius, authorized the claiming of the bodies from the Sing Sing morgue. But the "National Committee to Secure Justice for the Rosenbergs" promptly took over funeral — and propaganda — arrangements.

THE GRIEF-STRICKEN mother of the electrical engineer who spied for Russia did not go to Sing Sing. A hearse from the I. J. Morris Funeral Home, 9701 Church Ave., picked up the bodies, wrapped in brown canvas sheets, and brought them to Brooklyn.

The "National Committee" announced an "honor guard" would maintain an all-night vigil, from the time doors were opened to the public at 9 p.m. last night until 1 p.m. today, an hour before funeral services. After interment in Wellwood Cemetery, Pinelawn, L.I., the organization announced, a "monument" will be erected in their honor.

About 500 mourners—including curiosity hounds and a number of pinkos and Communist sympathizers well known to veteran investigators and newsmen—were on line when the funeral parlor's doors were thrown open to the public. Three hours later, the line had grown to 2,000 persons, according to police estimates.

FUNNELING through barricades manned by half a dozen patrolmen and two sergeants, they filed into the funeral home slowly, watched from beyond police lines by about 300 local residents. Many of them were children unaware they were witnessing one of the last acts in a legal drama which has become a cause celebre around the world.

Despite the size of the crowd

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N.Y. MIRROR

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line grief on their faces. They are plain people and I recognize 95 percent of them as Jewish. They came spontaneously. These are the people the Rosenbergs were."

Asked if the Rosenbergs' two young sons would attend the funeral, Bloch said:

"Not if I have anything to say about it."

and the small police contingent, there was no disorder. A number of drunks who showed up at the door were quickly turned back by patrolmen. Few of the mourners would talk to newsmen; most turned their backs on photographers. Slowly, they moved forward in the line which stretched along Church Ave. to 98th St., and around the corner for another half a block.

By 12:30 a. m., the line had thinned appreciably, enabling observers to spot a number of "repeaters" who exited from the undertaking parlor and promptly queued up again.

Up a flight of stairs, in a chapel designed to seat 500 when funeral services are held at 2 p.m. today, the Rosenbergs were laid out—"in state," as the "National Committee" announcement expressed it.

Lying in oaken caskets with gleaming brass handles, the first American civilians ever to be executed for espionage wore the same expressions of resigned calm noted on their faces just before they died Friday night. Both were wrapped in white shrouds.

JULIUS WORE a white skull-cap and prayer shawl. Ethel's head bore a small, square white crown from which a linen veil was draped, concealing the scalp burns made by the electrode.

Theodore Jacobs, "press relations" official of the "National Committee," said today's services would be conducted by Rabbi Abraham Cronbach, professor emeritus of Hebrew Union College, Cincinnati, one of the clergymen who called on President Eisenhower for clemency. Cantor Maurice Erstling, ex-president of the N. Y. Cantors' Assn., will sing the prayers. The committee made arrangements for a public address system so the expected overflow crowds could hear the ceremony from the pavement.

THE POLICE DEPARTMENT also made arrangements for the funeral. Two captains, 10 sergeants, 150 foot patrolmen, one mounted sergeant and 20 mounted patrolmen were ordered to report to Assistant Chief Inspector Condon for instructions.

As the evening's mourners filed past the biers, Emanuel Bloch, chief counsel for the Rosenbergs, told newsmen:

"I am tremendously impressed with the turnout of people here. They came to pay their tribute to the Rosenbergs. I can see

The funeral parlor's phone kept ringing. I. J. Morris said he had received about 1,000 calls since 3 p.m., many from cranks, but most from persons wanting to know if they would be permitted to view the bodies.

AT MIDNIGHT, the funeral parlor director suggested closing for the night. But the "National Committee" overruled him, declaring doors would remain open so long as mourners remained on line.

Some sobbing was heard in the small anteroom through which the mourners passed on their way to the street.

"See," said Bloch. "They're visibly shaken."

At Sing Sing, Warden Wilfred Denno disclosed that each of the Rosenbergs had left a will. The documents were witnessed by two members of the prison staff.

Contents of the wills were kept secret by Denno, who said the papers would be filed for

probate by the beneficiaries of their representatives.

MEANWHILE, the children of the executed couple were taken into seclusion by Bernard Bach, owner of the Toms River, N. J., farm where Michael Rosenberg, 10, and Robert 6, have been boarding.

IN WASHINGTON, Justice Department officials estimated the cost of convicting and executing the Rosenbergs would run somewhere around \$150,000, not including operating costs of some courts involved in the case.

At Sing Sing, Warden Denno revealed that the State's bill to the Federal government for its part in confining the spies and carrying out the death sentence was \$34,618.51. Mrs. Rosenberg, whose 801-day stay in the death house cost \$38.60 per day, accounted for the expenditure of \$30,918.60 in State monies.

The costs for the care of Rosenbergs amounted to \$4.43 a day. On May 19, the daily rate was increased to \$4.50 and the total bill was \$3,399.91. Adding the executioner's fee of \$300 to the combined mainten-

ance costs brought the total up to \$34,618.51. This figure, Denno said, does not include telegraph and phone bills and other incidentals due exclusively to the presence of the doomed couple in the death house.

THE BIG disparity between the daily maintenance costs of the husband and the wife is explained by the fact that four matrons are hired by the state to maintain a round-the-clock watch over Mrs. Rosenberg, who was the only inmate in the women's section of the death house. These matrons, who are now out of a job, were Mrs. Helen Evans, Mrs. Mary Creighton, Mrs. Natalie Jackson and Mrs. Hannah Collard.

OVERSEAS, the repercussions of the executions were violent and rapid. Communists on both sides of the Iron Curtain fully exploited the incident.

Protest demonstrations were staged in London, Paris and other West European capitals. In Paris, police arrested more than 1,000 persons who were attempting to march on the U. S. Embassy and at least one man was shot and wounded.

Walter Winchell Of New York

The Hottest Scandal In Town

The colyum foretold the news on June 8th that a last-minute petition for Habeas Corpus would be sought by the Rosenbergs' lawyers... The papers confirmed it when Mr. Justice Douglas intervened—on the plea of a stooge barrister named Fyke Farmer of Nashville, Tenn... This Fyke Farmer is listed many times by Cong. committees probing subversives... His ad appears in a local sheet which is anti-Catholic, anti-Semitic, anti-FBI, anti-McCarthy, anti-Cardinal Spellman and anti-WW... The ad is titled: "Let Those Who Want Koreans Pay For Them"... It is a shill for a thesis at \$0c.

The Gov't knows the identity of every doner to the Rosenberg Committee Fund, including anonymous contributors.

Joyce Mathews has a wealthy fellow mad for her whose wife knows all about it and isn't making any scenes.

Eleanor Holm said "No" to friends bearing reconciliation-feelers.

Weren't Sally Starr, the actress, and her husband Miles Carey, (chief of Guinness' Stout) divorced in Fla. almost 6 months ago?

Tee-Hee of the Week: The bride (in a news-feature photo) who had her fingers crossed the other edition. (Plainly visible.)

A top baseball executive and a midwest colyumist (a transvestite) are romancing again.

"Rettlaw" Winchell, the trotter, won at Roosevelt Raceway Thursday night, as the selectors on the Mirror, News and Journal-American forecast. The hoss-clairvoyant for the Compost was the only one to ignore it. (Ha, ha!)

The Bill Darnels are sipping "Lonely Wine". Darnel's recording of that torchant is one of the best. Parted after 8 years. She's the very social Virginia Herbert of the Germantown (Pa.) Main Line.

A Cafe Souseity married pair fought it out with siphons of soda (at point-blank range) in Madeleine's. The joynt is still drying out.

A lewding teevy announcer broke up with his society gal-pal because she committed the unpardonable breach of ettaket at a wild party. She went through everyone's clothes while they were busy.

One-time Sing-Sing executioner Robert Elliott (he also threw the switch for the electric chairs in 4 other States) analyzed his part in executions like this: He argued that the actual process began with the coal miner somewhere who dug up the exact shovel of coal used in the power plant to furnish the exact shot of voltage, etc. That he was merely an electrician.

There's a Sugar-Daddy in town who received 32 Father's Day Cards and he isn't even married.

The prissy N. Y. Times which refused a theatre's ad (because it contained the word "Sexy") ran this June 11th under Commercial Notices: "Couple, leisurely cruises the Sound and Vineyard. Would enjoy kindred male Corinthian for reasonable sum, and share of galley, wheel and fun."

The dictionary describes "Corinthian" as "a dashing or profligate fellow"—and "Profligate" as "lost or insensible to principle—virtue, or decency—abandoned to vice—a depraved or abandoned person."

Barbara Harmon of The Jelke Set is now Babs Harrison. TVenus Sydney Smith and Perry Como producer Lee Colley are in Splitsburgh. She gets her Renotice any day.

Syd Slate (3 Slate Bros.) and wife Sandra divorced at Jaurez '52. He will sue for custody of the child, now at Derby, Conn.

The Harry Wismers, he's the broadcaster (she's Betty Bryant, kin of the Ford clan), are being adult about their problem.

Actress Francine Bond (Shella's sister) eloped. Mother's depressed.

Emanuel Bloch, the lawyer for the Rosenbergs, ranted: "The people who are running this government are much more barbaric than the Nazis when they had power in Germany"... That's a fact crack from a Bloch-head... If our gov't was as barbaric as Nazis, barrister Bloch would not be free to speak in defense of traitorous (or any) clients in our courts or out of them... He is also quoted as phoning the prison: "Please give them my love. I am ashamed I am an American today."

Most of us are ashamed he's an American, period.

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Marshal Says ~~A~~-Spies Can Stall Death by 11th-Hour Confession

By Arnold Brophy

New York — Atom spies Ethel and Julius Rosenberg will have an opportunity right up to the instant they sit in the electric chair tomorrow night to postpone their date with death.

But the man who is making all the arrangements for the first husband and wife execution in New York said today, "I don't anticipate any action like that. They're icy calm, even now."

United States Marshal William A. Carroll said that the execution could be postponed up to 48 hours without any court action or steps by the Department of Justice.

Carroll explained that the court set the week of June 15 for the execution and he set the day and the hour. "I arranged it as far back in the week as practical," he said, "to give them every legal chance in the world."

Available All Day

Carroll said that he will be available at the prison all day "in case they do have something to say."

In the event either of the nation's first atom spies to draw the death penalty decides to confess, Carroll would listen to the story and then notify the Department of Justice.

"Of course any action on my part depends entirely on what they say. I'd be within my rights to delay it for 24 hours, or even 48, and still stay in the mandate of the court," Carroll declared.

"It all depends if what they did say would warrant any further action. If the Department of Justice thought so, then it would be relatively easy to apply to the courts for a longer stay."

Given Every Chance

"Probably such events will not take place but we are assuming they might have something to say and we are taking every action to make sure that they will have a chance right up to the last instant if they want to say something," the marshal added.

As to who will die first, Carroll said that hasn't been decided yet. "It doesn't really make any difference," he said. "It's just a matter of two minutes. I imagine that will be taken care of at the last moment."

Asked if any funeral arrangements had been made, Carroll shuddered and said: "Those people are still alive. What a horrible thing to even think about. No, that will be done afterwards."

In separate cells in the Sing Sing death house, the Rosenbergs are calm. "They are model prisoners," said Carroll. "They have been right along. They never cause any trouble. They're in solitary confinement in the death house and they couldn't be anything else but be good prisoners."

Carroll said that of the two

Ethel Rosenberg is more composed than her husband. "She never asks about the other women who died in the chair," he said. "She isn't very communicative and is very polite at all times."

Every now and then, he said, Julius complains about the food. "He also complained that he is getting flabby," Carroll said. "He didn't get much chance for exercise with all the rain this Spring." Rosenberg, he added, has shaved off his small mustache.

When Carroll served formal notice of the execution on Julius, he opened the papers and read them carefully. Then, in a matter of fact tone, Rosenberg told the marshal: "You know, there's a coincidence for you. June 18 is my wedding anniversary."

Newspaper 6/17/53

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The Triumph of Law

JUDGE IRVING KAUFMAN has gone through months of mental torture while those who believed that they could break his will used every device to make his life a misery. It is difficult to understand why they assumed that a judge in a high court would subject himself to what appeared to be mob rule.

It was an unusual spectacle in our society, because Americans believe in the sanctity of our courts, in the authority of the law. Judges are not normally molested because of their decisions, it being assumed, even by those who are condemned, that due process of the law is provided for in our system of jurisprudence. As a matter of fact, no other system equals ours in the protection of the accused.

Lawyers are not criticized for using every possible means of appeal through the courts, or even to the President, to free a client. Nor are judges antagonistic to lawyers who seek to have their judgments overruled by higher courts.

This is all within our system of due process of the law, guaranteed by the Constitution.

When, however, a judge is overwhelmed by vituperative mail; when he is abused on the telephone day and night; when he and his wife and his children are threatened so that not only the police but the FBI guard their very lives—a decent respect for our courts and for our free institutions is disappearing in a segment of our society.



Judge Kaufman

Judge Irving Kaufman did his duty and obeyed the law. Were it otherwise, he would have been overruled by the Supreme Court of the United States. Six times the Rosenberg case went up to the Supreme Court on appeal; each time that court upheld his judgment.

In the American way of life, the decisions of the Supreme Court are final, except if the President desires to grant personal clemency in a case involving a crime. President Eisenhower (one does not know how many times) refused to intervene in this case. Had he intervened, it would have been no criticism of the judge. Each would have done what the law permits.

Therefore, as the record stands, Judge Irving Kaufman's decision has been upheld and confirmed. No decent American will take another view.

Judge Irving Kaufman is an unusual man. Now only 43 years old, he has had a long career in the Department of Justice, not only in New York but in Washington as well. After a brilliant career as an Assistant United States Attorney, he was appointed, at the early age of 39, to the Federal bench. He is recognized as a man of unfailing integrity to whom the law is a devotion as it is his career. He is not a political judge, rising in the service of his country as a career man.

Now that all the steps in the law have been taken, this particular case is closed. The Judge is entitled to the respect for his office and to the peace of mind that is the right of those who do their duty unafraid.

No one likes to see a man and woman condemned to death. Many of us no longer believe in capital punishment as a suitable punishment. The judges of our courts, however, have to be guided by the law and that judge is best who fears neither strong individuals nor the mob.

In the hands of such men as Judge Kaufman, our system of life is safe.

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Today in Washington

Last Days of Rosenbergs And Those of Major Andre

By DAVID LAWRENCE

WASHINGTON, June 21.—President Eisenhower's tense moments while waiting for the Rosenbergs to tell all they knew and demonstrate their allegiance to the United States instead of to Soviet Russia had in some respects a curious parallel to the last days' incidents just before Gen. Washington in 1780 ordered the execution of Maj. Andre, British spy.

Last week reference was made in these columns to the treason of Benedict Arnold and the dispatch should have read that it was his accomplice, Maj. Andre, who paid the death penalty. For the fact is that Arnold himself escaped and had the effrontery to demand that Gen. Washington grant clemency to Andre failing which Arnold threatened reprisals against Continental prisoners in the hands of the British.

But Gen. Washington was unmoved. He did grant a reprieve at the last minute on the day the execution was first ordered. Then he postponed it only until a hearing could be granted to a British major general and two civilian lawyers who came by permission across from enemy lines to argue that Andre had entered the Continental lines under a flag of truce and hence was not deserving of the death penalty. But while Gen. Washington agreed to have one of his generals receive the delegation he made it clear he was not receiving them as bargaining representatives of a hostile government that had nothing to do with the enforcement of American military law.

Andre Plea Rejected

Gen. Washington read the report of the conference that same evening and decided that nothing new had been adduced. Gen. Greene, who conducted the conversations in behalf of Gen. Washington, had offered to exchange Maj. Andre for Benedict Arnold but the British commander scorned the offer. A few hours later Gen. Washington again ordered the execution and disregarded a letter from Andre himself that he be permitted to die like a soldier from the bullets of a firing squad instead of on the gallows. Washington took the position that under military law all spies had to hang and that it was important to let all potential spies know that such a fate would await them. He reported to the Continental Congress.

Oddly enough, there was a general sympathy with Maj. Andre throughout the Conti-

mental camps because of his forthrightness when captured. He freely admitted that he did not come under a flag of truce, as the British commander had tried to argue. He was a bit of a hero even with some of the Continental officers, including Lafayette and Hamilton, who gladly would have exchanged him for Arnold, but Washington did not allow sentiment to interfere as he denied a personal plea for leniency from Andre himself.

There is a significant contrast, too, between the way the Andre case was handled and the reports that have been coming in from East Germany about the execution by the Communists of alleged "western agents" who were promptly put to death last week without even so much as a hearing or a trial or a chance to present evidence.

This is something the demonstrators for the Rosenbergs might note. For the United States did give the two spies many months for a trial and appeals and pleas and at the last moment the highest court in the land—which rarely grants a hearing in criminal cases already decided by juries and courts—sat in special session to hear certain legal aspects of the case.

Rebuttal to Skeptics

When German spies were landed on the American coast from a submarine during World War II they were given a trial not only by a military tribunal but the case was submitted for review to the Supreme Court. Whether or not one agrees with the wisdom of a system whereby a single justice can grant a stay of execution, this is the present rule and what Justice Douglas did turned out to be a further rebuttal to skeptics abroad who may have felt that the United States did not give the fullest opportunity to the Rosenbergs to prove their innocence and to make a confession that would have spared their lives.

The Rosenbergs preferred, however, to die in loyalty to Soviet Russia. So, if any monument is to be set up to commemorate their defiance of the United States, it properly should be erected over their graves in Soviet Russia—where their bodies should be sent—rather than to permit a "shrine to Communism" to be established in Brooklyn as reportedly planned by the demonstrators for the Rosenbergs.

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10,350 at Service

Rosenbergs Eulogized As Martyrs at Funeral

By B. J. Cutler

Julius and Ethel Rosenberg, executed for betraying the nation's atomic secrets to Russia, were eulogized as heroes and martyrs at their funeral service yesterday. Three hundred and fifty persons were in the chapel and 10,000 stood outside behind police barricades.

The service took on the overtones of a political demonstration when the mourners in the chapel hissed a rabbi who asked them to bear no grudge and the lawyer for the electrocuted spies delivered a diatribe against the government.

After the service, in the I. J. Morris Funeral Chapel, at Church Ave. and Rockaway Parkway in the East Flatbush section of Brooklyn, thousands of mourners slipped around the barricades to march four blocks in the blazing sun behind the

two hearses which took the Rosenbergs to their burial.

Three hundred automobiles and three chartered buses joined the cortege bearing the bodies to Wellwood Cemetery in Pine Lawn, L. I., near Farmingdale. State Police said 7,000 automobiles trying to get to the cemetery jammed traffic for six miles in the area. There were 1,500 to 2,000 persons at the burial service.

The service and burial was carefully staged by the National Committee to Secure Justice in the Rosenberg Case. Members of the committee issued passes for admittance to the service, briefed reporters, set aside a press section in the chapel and organized the parade and cortege.

The committee had installed loudspeakers to bring the service to the crowd outside, but police forbade their use because a permit had not been obtained.

The committee said that 10,000 filed past the open coffins of the Rosenbergs between 9 p. m. Saturday and 1 p. m. yesterday. The police estimate was 7,000. When the line of persons seeking to view the bodies was shut off at 1 p. m., 2,000 persons stood in a line stretching four blocks to Saratoga Ave.

The climax of the service came when Emanuel Bloch, the lawyer who battled for three years to save his clients from the electric chair, addressed the 350 mourners who had committee passes to get into the chapel.

Mr. Bloch stood at the pulpit, looking at the audience over the open caskets of the Rosenbergs lying at his feet. He wore a blue suit and a gray fedora, since the head of a male must be covered at a Jewish service.

"I place the murder of the
Continued on page 3, column 1

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Rosenbergs

(Continued from page one)

Rosenbergs at the door of President Eisenhower, Attorney General Brownell and J. Edgar Hoover," he shouted. "This is not American justice. . . . We must be angry."

"America today," Mr. Bloch said, "is living under the heel of a military dictator garbed in villain attire."

Charges "Cold Murder"

He said the "executioners" of his clients had "stones for hearts" and the "souls of murderers." "This was a cold, deliberate murder," he said.

"We must be angry, we must be resentful, we must commence struggle to resist Nazism," he shouted. "This was the face of Nazism that killed the Rosenbergs."

Mr. Bloch said he had asked that the execution of the Rosenbergs be postponed from the scheduled time of 11 p. m. Friday so it would not fall on the Jewish Sabbath. He said "a barbarian pushed up the time instead." The Rosenbergs, "the first Americans to die for espionage under the orders of a civilian court, paid their penalty in the death chamber at Sing Sing Prison shortly after 8 p. m., moments before the sun set and ushered in the Sabbath."

Rabbi's Sermon Mild

In contrast to Mr. Bloch's address, Rabbi Abraham Cronbach, professor emeritus at the Hebrew Union College at Cincinnati, delivered a mild and compassionate sermon. He was a member of the group of clergymen that asked President Eisenhower to grant clemency to the Rosenbergs.

The gray-haired rabbi, speaking in a tremulous voice, said, "We must eschew hatred, we must disdain rancor, we must keep our hearts clean of vindictiveness."

Discussing the prosecution, Rabbi Cronbach said, "Let us give them credit for this much: they did what they thought right."

At this point the mourners hissed the rabbi as he went on with the service in the place which is equivalent to a Jewish house of worship while a religious service is going on.

Urges Loyalty to America

In urging his listeners to cleanse themselves of hate, Rabbi Cronbach quoted the Jewish Scriptures. "Thou shalt take no revenge," he said. "Thou shalt bear no grudge. Thou shalt not hold hatred for your brother."

He told the mourners to demonstrate their "loyalty as Americans," and added, "We have nothing to gain by America's injury. We gain when America gains. We lose when America loses."

This passage from the rabbi's eulogy was met with angry murmurs from the audience.

The service began shortly after 2 p. m., when the caskets were wheeled into the chapel

and a cantor sang the mournful funeral dirge for the Jewish dead. Mrs. Sophie Rosenberg, mother of Julius, collapsed at the sight of the casket, crying, "My baby, my baby, my little baby."

Mrs. Tessie Greenglass, mother of Ethel Rosenberg and also of David Greenglass (who testified for the government against the Rosenbergs and is now in prison for atomic espionage), did not attend the service.

Other members of the Rosenberg family present included David Rosenberg, brother of Julius, and two sisters. Mrs. Helen Sobell, wife of Morton Sobell, a co-defendant of the Rosenbergs now serving thirty years for radar espionage, was in the chapel.

Accuses Prosecution

Joseph Brainin, chairman of the national Rosenberg committee, spoke at the service and introduced the other speakers. He accused the prosecution of engaging in "intimidation, propaganda and the use of fear." He urged the Rosenbergs' families to be proud and said they were "custodians of a name that will live for centuries."

"They went to death in the most honorable manner," he said.

While the service was going on, it was not possible to know how many of the 10,000 persons had been attracted to the scene out of sympathy for the Rosenbergs or morbid curiosity.

When the coffins were placed in the hearses, thousands of members of the crowd showed their loyalties by forming a ragged line up to six abreast stretching for blocks behind the hearses.

Despite the 93-degree heat in which the funeral took place and the high feelings generated by the Rosenberg case, the crowds were quiet and well behaved. Only two "incidents" were reported by police.

The first was when a man tried to force his way into the funeral home after the line had been stoppd. He was arrested for disorderly conduct.

The second incident was caused by a traffic jam at Farmingdale Road and Wellwood Ave. near the cemetery. Because of the jam a state trooper on duty stopped cars from proceeding and one mourner began a violent argument. The trooper drew his blackjack, but was mobbed by Rosenberg sympathizers, who took the weapon away.

The trooper retreated into his squad car, drew his revolver and called for reinforcements. The sirens of police cars coming to the scene were clearly heard just as the rough-hewn oak coffin of Julius Rosenberg was lowered into the double grave at 5:25 p. m. His wife's coffin was placed in the earth three minutes later.

7,000 Cars in Cortege

While police estimated that 7,000 cars made up the huge cortege stretching from the funeral home to the cemetery thirty-two miles out on Long Island, traffic became so

jammed that only between 1,500 and 2,000 persons were able to arrive in time for the burial service.

State and local police carefully noted the license numbers of every car in the vicinity of the cemetery. "We're looking for subversives," one officer told a reporter.

Mrs. Rosenberg tried to throw herself across the coffins before they were lowered into the common grave. "God help me," she cried in Yiddish, "to lose two children—to take a mother and father away from two children. Look at those two boxes holding my children."

Speakers at the burial service were Mrs. Emily Alman, a member of the committee; the Rev. Glendin Partridge, of Montreal; Uri Suhl, writer; Rabbi Cronbach, Dr. W. E. B. DuBois, anthropologist; Cantor Joseph Mizrachi and Mrs. Sobell.

Mr. Partridge said he and his fellow Canadians will never cease fighting to clear the Rosenberg name "of the great stain placed on it."

Mrs. Alman declared that the Rosenbergs were innocent and died as patriotic Americans. "We will carry on their work," she said.

Dr. DuBois read the 23d Psalm, the same selection chosen by the rabbi at Sing Sing Prison when Julius Rosenberg entered the death chamber. Cantor Mizrachi chanted the prayer of lamentation and the Kaddish, the prayer for the Jewish dead.

The Rosenbergs' resting place provided a final irony in the case. A sign outside the cemetery points to the Brookhaven National Laboratory a few miles away, where the nation is using the atomic secrets they conspired to betray.

The bodies of the Rosenbergs were brought from the death house at Sing Sing Prison to the Chapel on Saturday night. An honor guard of two men stood vigil throughout the night. Each held an American flag.

The national committee, which master-minded and financed the Rosenberg defense, has denied it is Communist-dominated. Many of its functionaries are prominent in organizations on the Attorney General's subversive list.

Disorders Mark A-Spies' Funeral



Mrs. Sophie Rosenberg is comforted by attorney Emanuel Bloch (left) and an unidentified man at the funeral for her son and daughter-in-law, Julius and Ethel Rosenberg, executed atom spies.

Associated Press Photo

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1173

CHARLES GRUENBERG

Even in death, the Rosenbergs were surrounded with violence and anger, bitterness and tears.

Julius and Ethel Rosenberg, executed atom spies, were laid side by side in a single grave yesterday as their supporters vowed to continue the fight to prove them "patriotic Americans."

More than 10,000 persons jammed the searing street outside the I. J. Morris Funeral Home, Church Av. and Rockaway

See editorial 'The Other Way,' on Page 23.

Pkwy., East Flatbush, while final services were held for the dead pair.

Inside the chapel, the services took on the complexion of a political meeting as Emanuel Bloch, the Rosenberg's lawyer, delivered a blistering diatribe against the government.

Rabbi Abraham Cronbach, professor emeritus at the Hebrew Union College at Cincinnati, de-

Continued on Page 26

Disorders Mark Funeral Of Executed Atom Spies

Continued from Page 5

livered a mild and compassionate sermon, pleading that "we must keep our hearts clean of vindictiveness." He was hissed.

Several incidents were reported by police as the crowd milled around the chapel during the service, and later when the cortege was proceeding to Wellwood Cemetery in Pinelawn, L.I.

Photographer Beaten

A photographer was roughed as he attempted to take pictures of the Rosenberg's relatives. A man who tried to force his way into the chapel was arrested for disorderly conduct. A State trooper was mobbed and disarmed near the cemetery after he drew his blackjack during a dispute with a mourner.

Police estimated that the cortege was made up of 7,000 cars—so long in fact that fewer than 2,000 persons were able to arrive at the cemetery in time for the burial.

Mrs. Sophie Rosenberg, mother of Julius, broke down several times. She collapsed at the sight of the coffins in the funeral home, sobbing, "My baby, my baby, my little baby."

At the cemetery, she tried to throw herself over the coffins, crying in Yiddish. "God help me—to lose two children—to take away a mother and father from two children."

The funeral service, in fact the entire proceeding from the time the two bodies were claimed after the execution, appeared to have been carefully arranged by the Committee to Secure Justice in the Rosenberg Case.

Bloch provided the climax of the service when he ascended the

pulpit, termed the execution of the Rosenbergs "murder," and shouted, "America today is living under the heel of a military dictator garbed in civilian attire."

He said, "I place the murder of the Rosenbergs at the door of President Eisenhower, Attorney General Brownell and J. Edgar Hoover. This is not American justice..."

At another point he shouted, "We must be angry, we must be resentful, we must commence a struggle to resist nazism. This was the face of nazism that killed the Rosenbergs."

Be Legal, Rabbi Urges

In contrast was the sermon of Rabbi Cronbach. "We must eschew hatred," he said. "We must disdain rancor."

He told the mourners to demonstrate their "loyalty as Americans," saying,

"We have nothing to gain by America's injury. We gain when America gains. We lose when America loses."

Extra police were on duty at the funeral home and at the cemetery. At the latter place, State and local police were seen taking license numbers of all the cars in the vicinity.

"We're looking for subversive," one cop explained.

Rows at Chapel, Grave Mark Spies' Funeral

By MORTIMER DAVIS and JOHN FEENEY

Storm centers in death as in life, atom spies Julius and Ethel Rosenberg were buried yesterday to the accompaniment of a street fight in front of the Brooklyn funeral chapel and tense, bitter scuffling at the graveside.

Twice—in the Brooklyn fight and one cemetery skirmish—the hot, angry crowd assaulted newsmen. The third scuffle, near the cemetery entrance, pitted cordons of men and women who favored the spies execution against the left-wingers and mourners. State police and detachments from Babylon and other nearby towns were rushed to the cemetery to cope with the outbreak.

A CROWD ESTIMATED at 1,000, yelled and moved menacingly on photographers in Wellwood Cemetery, Pinelawn, L. I., as flashbulbs popped while the two caskets were carried to the waiting graves.

Serious trouble threatened when Julius' mother, Mrs. Sophie Rosenberg, fainted and the crowd screamed, "Kill them; run them out of here," and edged toward the handful of unprotected cameramen. As the newsmen moved away, the crowd returned to the graves.

An estimated 300 cars followed the two hearses to the cemetery after a street bat-

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He in Brooklyn touched off when a hard core of men and women sympathizers in the street outside the funeral home lashed out at newsmen, injuring a photographer and nearly touching off a riot.

AN ESTIMATED 12,000 per-
spiring men, women and children
were packed around the I. J. Mor-
ris Funeral Home, 9701 Church
Ave., when fist-swinging ruffians
pummelled LeRoy Jakob, a pho-
tographer snapping Julius'
brother, David, entering a funeral
coach.

A cordon of 40 cops rescued
Jakob, but minutes later, as
the two coffins were carried
out of the chapel, 3,000 men
and women broke through
police lines and marched, some
singing hymns, behind the
hearses as they circled the
block.

The one sober voice at the
service was that of Rabbi Abra-
ham Cronbach, who officiated.
His appeal for a philosophical
attitude was received with angry
murmur and hissing.

RABBI CRONBACH, professor
meritus at Hebrew Union Col-
lege, Cincinnati, said tremu-
lously:

"We must eschew hatred, we
must disdain rancor, we must
keep our hearts clean of vic-
tiveness."

But he provoked more con-
cise dissent when he said of
the prosecution:

"Let us give them credit for

Battles Mark Spies' Funeral

Continued from Page 3

this much: They did what they
thought right."

DIRECTLY OPPOSITE views
were voiced by the Rosenbergs'
lawyer, Emanuel Bloch, in his
oration at the bier. He shouted:

"We must be angry, we must
be resentful, we must com-
mence a struggle to resist
Nazism. This was the face of
Nazism that killed the Rosen-
bergs."

"I place the murder at the door
of President Eisenhower, Attor-
ney General Brownell and J. Ed-
gar Hoover. This is not Ameri-
can justice... America today is
living under the heel of a military
dictator garbed in civilian attire."

At 1 p.m. the long line, strung
out four and five abreast, was
barred from entering the fune-
ral home as preparations were
made for the funeral services.
By that time, evidences of ten-
sion showed frequently, with
attempts made to punch and
spit on reporters and pho-
tographers.

But the services started calmly
with a traditional Hebrew chant
for the dead. Mrs. Sophie Rosen-
berg, mother of the man who be-
trayed his country's secrets to
Soviet Russia, wailed, "My baby,
my baby," and collapsed. Seated
nearby was Mrs. Helen Sobell,
wife of Morton Sobell, a co-de-
fendant of the Rosenbergs and
now serving 30 years on Alcatraz
for his part in the spy plot. Rosen-
berg's brother, David, his two
sisters, Mrs. Ethel Goldberg and
Mrs. Lena Cohen, and a number
of cousins were seen, but no rela-
tive of Ethel's family was ob-
served. Two American flags stood
at the head of the long row of
cows.

SPEAKERS INCLUDED Jos-
eph Brainin, chairman of the na-
tional committee, who portrayed
the espionage agents as loyal
Americans.

It was minutes after this, as
the funeral cortege started out,
that the street battle broke out.

Dozens of floral tributes, mostly
from left-wing unions and simil-
ar organizations, were banked
around the caskets, but only a
few were taken with the bodies
into the chapel proper. Julius'
body was wheeled in first,
with the audience rising to its
feet. Ethel's followed, five min-
utes later.

Burial was in Wellwood Ceme-
tery, Pinelawn, L. I.

MEMBERS OF THE National
Committee to Secure Justice in
the Rosenberg Case estimated
that 30,000 persons viewed the
bodies, with about 350—admitted
by ticket only—sitting and stand-
ing in the chapel itself when the
last rites were conducted to the
accompaniment of left-wing prop-
aganda speeches. Twenty-five
picked detectives of the Special
Services Squad watched for Red
agitators.

Lou Walfis, 32, of 66 Willett
St., a salesman, who allegedly
became abusive to Patrolman
John Brennan when refused
permission to cross the police
lines, was arrested on a dis-
orderly conduct charge. Over
150 patrolmen, 20 mounted po-
lice and 25 detectives kept vigil
at the scene as the crowd
galliered.

Throughout the day, long lines
of the party faithful, their dupes,
curiosity-seekers and mourners
filed into the funeral home along
a row of police barricades.

Continued on Page 18

10,000 AT FUNERAL FOR ROSENBERGS

Continued From Page 1

Lawyer for Rosenbergs Assails Their 'Murder' at Funeral Here

By WILLIAM R. CONKLIN

Emanuel H. Bloch, attorney who represented Julius and Ethel Rosenberg, used the word "murder" at their funeral service yesterday to describe their deaths last Friday evening in the electric chair at Sing Sing Prison. Mr. Bloch placed their "murder" at the doors of President Eisenhower, Attorney General Herbert Brownell Jr. and J. Edgar Hoover, head of the Federal Bureau of Investigation.

The lawyer who fought for twenty-six months to save the lives of the 35-year-old husband and his wife, 37, spoke at their funerals in the I. J. Morris Funeral Home, 8701 Church Avenue, Brooklyn. Inside 330 mourners overtaxed the chapel's seating capacity of 310. Outside a crowd estimated by the police at 10,000 stood in pavement-searing 83-degree heat in the East Flatbush streets.

After the service three chartered

buses and 300 private automobiles followed the two hearses to Wellwood Cemetery at Pine Lawn, near Farmingdale, L. I. There photographers were ordered away and the bodies of the atom spies were buried in a common grave.

Rabbi Abraham Cronbach, elderly professor emeritus of the Hebrew Union College of Cincinnati, met angry murmurs of dissent from those inside the chapel when he pleaded for understanding of those who had carried out the death verdict. The mourners began to stir in protest when he said:

"Our hardest task is to eschew hatred, to forsake rancor, and to keep our hearts clean of vindictiveness and retaliation. The Hebrew Scriptures say: 'Thou shalt not take revenge' and 'Thou shalt not hate thy brother in thy heart.'"

"Let us not vituperate those who

Continued on Page 1, Column 1

pronounced the verdict. Let us at least give them credit for this much: that they did what they thought was right."

With these words a wave of dissenting protest filled the gray-walled, air-conditioned chapel. Cries of "No, no" went up, making it difficult to hear the rabbi. The murmuring grew in volume as he ended by saying:

"We must demonstrate that we are among those most loyal to America. We must not permit any ground for accusations of remission in our American citizenship. We gain when America gains, and we lose when America loses."

Plans to amplify the funeral service by loudspeaker were canceled by the police when the National Committee to Secure Justice in the Rosenberg Case could not produce a loudspeaker permit. Assistant Chief Inspector David A. Condon, commanding all uniformed forces in Brooklyn, headed a detail of more than 200 foot patrolmen, mounted men, motorcycle patrolmen and twenty-five detectives.

Joseph Brainin, chairman of the Rosenberg committee, introduced the speakers at the one-hour service that began at 2:15 P. M. Mr. Brainin has described his committee as "representing a cross-section of America." At one Rosenberg appeal Assistant United States Attorney James B. Kilheimer 3d put in the court record the statement that the Rosenberg committee "no more represents a cross-section of America than does the national committee of the Communist party."

Mr. Bloch began to speak in a tone so low that he was almost inaudible. Then, with his voice rising to vehemence, he said:

"America should know, as the rest of the world knows, that America today is living under the heels of a military dictatorship dressed in civilian garb. These people have no hearts. They have stones for hearts. They have hard hearts, and they have hard eyes.

"They have the souls of murderers," Mr. Bloch shouted, "and this was an act of cold-blooded murder. When I requested in Washington that these executions be put off so that they would not occur on the Jewish Sabbath, the request was granted by a barbarian who pushed them up, so there would be no conflict."

"Let the pen prostitutes and the

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Voice of America know that the Rosenbergs were not executed according to law. A Supreme Court Justice said the court had not read the record in this case; was that 'due process of law'?

"The last paragraph of Justice Jackson's opinion suggested to the President that it was neither advisable nor wise to kill these people. The three dissenting Justices were outraged. The entire court was stating to the President: 'Do not commit this barbaric act.'"

"I place the murder of the Rosenbergs at the door of President Eisenhower, Mr. Brownell and J. Edgar Hoover. They did not pull the switch, true, but they directed the one who did pull the switch. This was not the American tradition, not American justice and not American fair play. This was nazism that killed the Rosenbergs, and if we forget that lesson we will cringe, we'll live on our knees and we will be afraid. Insanity, irrationality, barbarism and murder seems to be part of the feeling of those who rule us."

Mrs. Sophie Rosenberg, mother of Julius David, his older brother, and two sisters, Mrs. Lena Cohen and Mrs. Ethel Goldberg, sat on a front bench facing the two brown coffins. To the left stood a floral

wreath of peonies and red carnations, and to the right was another of purple stocks and white carnations. On each side of the coffins a black skull-capped mourner held an American flag.

No members of Mrs. Ethel Rosenberg's family attended. The family split that began when David Greenglass, her younger brother, confessed and testified against her and her husband thus continued to the grave. David Greenglass is serving fifteen years for his part in the spy plot.

Admission to the chapel was by ticket issued by the Rosenberg committee, and by press card. No photographers were permitted inside, and one, Leroy Jakob, 45 years old, of The Daily News, was roughed up by two unidentified male mourners when he tried to make a photograph of the Rosenberg relatives outside.

Maurice Erstling, former president of the New York City Cantors Association, acted as cantor at the funeral, which ended soon after 3 P. M.

Speakers at the grave included David Alman, secretary of the Rosenberg committee and his wife, Emily; the Rev. Glendin Partridge, a Presbyterian minister from Montreal, Canada; Mrs. Helen Sobell, wife of the convicted spy,

Morton Sobell; Yuri Suhl, writer, and Dr. W. E. B. DuBois.

Special to THE NEW YORK TIMES.

TEL AVIV, June 21—Kibbutz Haogen, a communal farm in the Plain of Sharon, announced today it would offer to adopt the orphaned children of Julius and Ethel Rosenberg. A general meeting of members of the settlement voted yesterday to extend the offer through the couple's attorney.

Moscow Steps Up Drive

LONDON, June 21 (Reuters)—Moscow propagandists stepped up their campaign today against the "terrible crime" of the executions of Ethel and Julius Rosenberg, the atom spies who died in the electric chair Friday night at Sing Sing Prison.

Ilya Ehrenburg, Russia's top political writer, said: "This is more than a crime, this is madness."

The Communist party newspaper Pravda printed a statement by Ehrenburg sent after the last session of the "World Peace Council" at Budapest, Hungary.

He wrote that when a Belgian Catholic lawyer announced to the Communist and pro-Communist delegates that the Rosenbergs were dead, "We lived minutes which none of us will forget."

A-Spy Funeral Hears 'Murder' Hurlled at Ike

By HENRY LEE

While 12,000 spectators milled through the neighborhood and cluttered rooftops, A-spies Julius and Ethel Rosenberg were given a funeral service yesterday in Brooklyn that would have warmed their Communist hearts. A brief religious ritual was followed by a long political diatribe in which President Eisenhower was accused of "murder"—and a rabbi was hissed for observing that, after all, the authorities had done what they thought was right.

Strife accompanied the Rosenbergs to the grave, with one near-riotous incident following another thus:

A news photographer was roughed up outside the funeral home, while snapping a shot of Rosenberg's brother, David, entering the coach.

A rooftop fight was broken up.

One Man Arrested

One man was arrested for disorderly conduct when he tried to force his way into the funeral parlor after the line had been stopped. He said he was Lou Wallis, 32, a salesman, of 66 Willet St.

In North Lindenhurst, L. I., a Babylon town cop was mobbed when he tried to detour funeral cars into a side street. The cop drew his blackjack, but it was wrested from him. He retreated to his squad car, pulled his gun and called for reinforcements. The sirens of oncoming police cars were heard clearly, just as the oak coffin of Rosenberg was lowered into its grave at 5:25 P. M.

Row in Cemetery.

Within the cemetery, a group of four men vehemently protested the presence of the Rosenberg mourners. "There are plenty like us who came out here for Father's Day—and are shocked to find our beloved ones must sleep in the same ground as these two," one said. The exchange developed into a shoving match, and a crowd quickly collected. But the throng broke up when a police car arrived.

Then, suddenly, some 40 men dressed in a sort of sports uniform arrived in a dozen cars and took complete charge—without identi-

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lying themselves. They shoved the public back some 50 feet and locked arms. When cameramen tried to get through, the crowd threatened them, and the leader of the "elite guard" warned: "If you value your lives or your equipment, get out from the circle." The line was briefly opened and the photographers ushered—out.

Finally, at the graveside itself, several photographers were hurled to the ground to the accompaniment of shouts of "kill them."

The hissing of the rabbi occurred during the services in the I. J. Morris funeral home, 9703 Church Ave., Brooklyn, which was attended by 500. "No! No!" interrupted the crowd as the clergyman suggested that the judges "thought" they'd been doing right.

"Loyal Americans."

But they nodded approvingly when another speaker eulogized the traitors as "loyal Americans" and their survivors as "the custodians of the Rosenberg name—a name that will live for centuries throughout the world and a name they must be proud to bear."

The "murder" accusation against President Eisenhower—and Attorney Brownell and FBI Chief J. Edgar Hoover, too—was made by Emanuel H. Bloch, the couple's lawyer.

"I place the murder of the Rosenbergs at the door of Eisenhower, Brownell and John Edgar Hoover," he asserted. "They directed the pulling of the switch, though they didn't pull it themselves."

"These two sweet, tender, sensitive, cultured people," he re-emphasized, were victims of "cold, deliberate murder." And, he cried, "This was the face of Nazism that killed the Rosenbergs."

The peculiar service, in which the spies were taken to their graves as heroes with prominent display of the American flag, got under way at 2:12 P. M. Earlier, from 9 A. M. to 1 P. M., a police-estimated total of 4,000—not all mourners—had filed past the bodies with their "honor guards."

Services Carefully Planned.

The service and burial were carefully planned by the National Committee to Secure Justice in the Rosenberg Case, many of whose functionaries are prominent in organizations on the Attorney General's subversive list. However, the committee has denied that it is Communist-dominated.

Members of the committee issued passes for admittance to the service, briefed reporters, set aside a press section in the chapel and organized the parade and cortege. The committee even installed loudspeakers to bring the service to the throng outside, but police forbade

He Is Labeled Murderer at A-Spy Funeral

(Continued from page 2)

their use, because a permit had not been obtained.

Outside, the curious, heat-fogged crowd was kept in order by 150 patrolmen, 21 mounted cops, 10 sergeants, two captains, an inspector, an assistant chief inspector, five policewomen and 25 detectives from the Special Service Squad. The latter spotted the "top Commies of the country" at the services, they said.

In the chapel, lit only by an electric candelabra and daylight filtering through a pink-and-purple stained glass window, a cantor chanted the services.

Then Joseph Brainin, chairman of the National Committee to Secure Justice in the Rosenberg Case, lauded the spies' "Americanism" and the family's right to bear their name proudly.

Eulogist Is Hissed.

It was Rabbi Abraham Cronbach, professor emeritus of Hebrew Union College, Cincinnati, the eulogist, who was hissed when he observed, "Let us give them (the court and jury) credit for this—that they did what they thought was right."

"We have nothing to gain by America's injury," the rabbi implored. "We gain when they gain, we lose when they lose. Let us be good Americans. Don't succumb to hatred because it was hatred that killed the Rosenbergs."

But it was Bloch, with his fiery post-summation for the defense, who stirred the crowd.

"They were tortured but they didn't yield," he asserted. "They fought tyranny."

(Continued on page 6, col. 1)

"We live today under the heels of a military dictatorship garbed in civilian clothes. The men who run the country have no heart. They have stones in their breasts. They have souls of murderers."

He was particularly incensed because the authorities had advanced the execution to 8 P. M. Friday to avoid the Jewish Sabbath, rather than postponing it. In apparent reference to Brownell, he said the time had been changed "by a barbarian."

As the services ended at 2:52, with the cantor chanting the moving El Molay Rachamim (God Full of Mercy), Rosenberg's mother, Sophie, collapsed. "My baby, my baby," she moaned. Her other children, David Rosenberg, Mrs. Ethel Goldberg and Mrs. Lena Cohen, were with her. However, Mrs. Rosenberg's mother, Mrs. Tessie Greenglass, and brother, Bernard, did not put in an appearance. The Rosenberg children, Michael, 10, and Robert, 6, were also absent.

Mrs. Helen Sobell, wife of the Rosenbergs' co-conspirator, Morton Sobell, who now is doing 30 years at Alcatraz, was present.

5 Cars for Mourners.

At 3 P. M., the cortege left the funeral parlor. There was a flower car, filled with floral offerings; two hearses and then five cars of mourners, all of whom shielded their faces as they stepped hastily inside. A sixth car had been made available for the press, but none of the newsmen would ride in it, and other mourners were piled in. Then three buses, each carrying about 60 sitters and standees, took up the rear.

A procession of 1,000 walkers followed the cortege, which roughly circled the chapel for several blocks. Then the procession broke up, and the cars, laced by 300 more which picked up the cortege—made for Sunrise Highway and Wellwood Cemetery, 35 miles away on the South Shore, in Pinelawn, L. I.

At 4:30 P. M., a crowd of about 2,500—some of the more curious in beach attire—had already shown up at the cemetery. The hearses arrived at 4:52 P. M., and behind them, the cortege of autos stretched half a mile out of the cemetery and for another three fourths of a mile, snarling Sunday traffic in the area.

In addition to Rabbi Cronbach,

the Rev. Glenwid Partridge, of the First Presbyterian Church, Montreal, spoke, claiming that "all" in Canada still believe the couple "should have been given a chance to vindicate their names." Another speaker was Mrs. Sobell, wife of the Alcatraz inmate.

As the couple was buried in a single grave, Julius' mother collapsed again, wailing, "God help me, I had two children. To take a mother and father away from two babies is a sin. Sad is the mother they do something like this to."

(Other pics. p. 1 and back page)

The Russian Press

Scores Executions

Moscow, June 21 (U.P.).—Soviet Government and Communist Party organs denounced the execution of Julius and Ethel Rosenberg today in such terms as "a shameful crime against mankind" and "victims of war hysteria."

The government organ Izvestia published an article headlined "Victims of War Hysteria" which said:

"The people of the world indignantly condemn the imprisonment of these innocent victims of the organizers of war hysteria. Washington is greatly mistaken if it thinks it can spread war hysteria to other countries."

Pravda, the party organ, displayed a statement credited to Emanuel Bloch, attorney for the Rosenbergs.

"The people heading the United

States Government are bigger barbarians than the Nazis," it said.

2,000 in Australia Stopped by Police

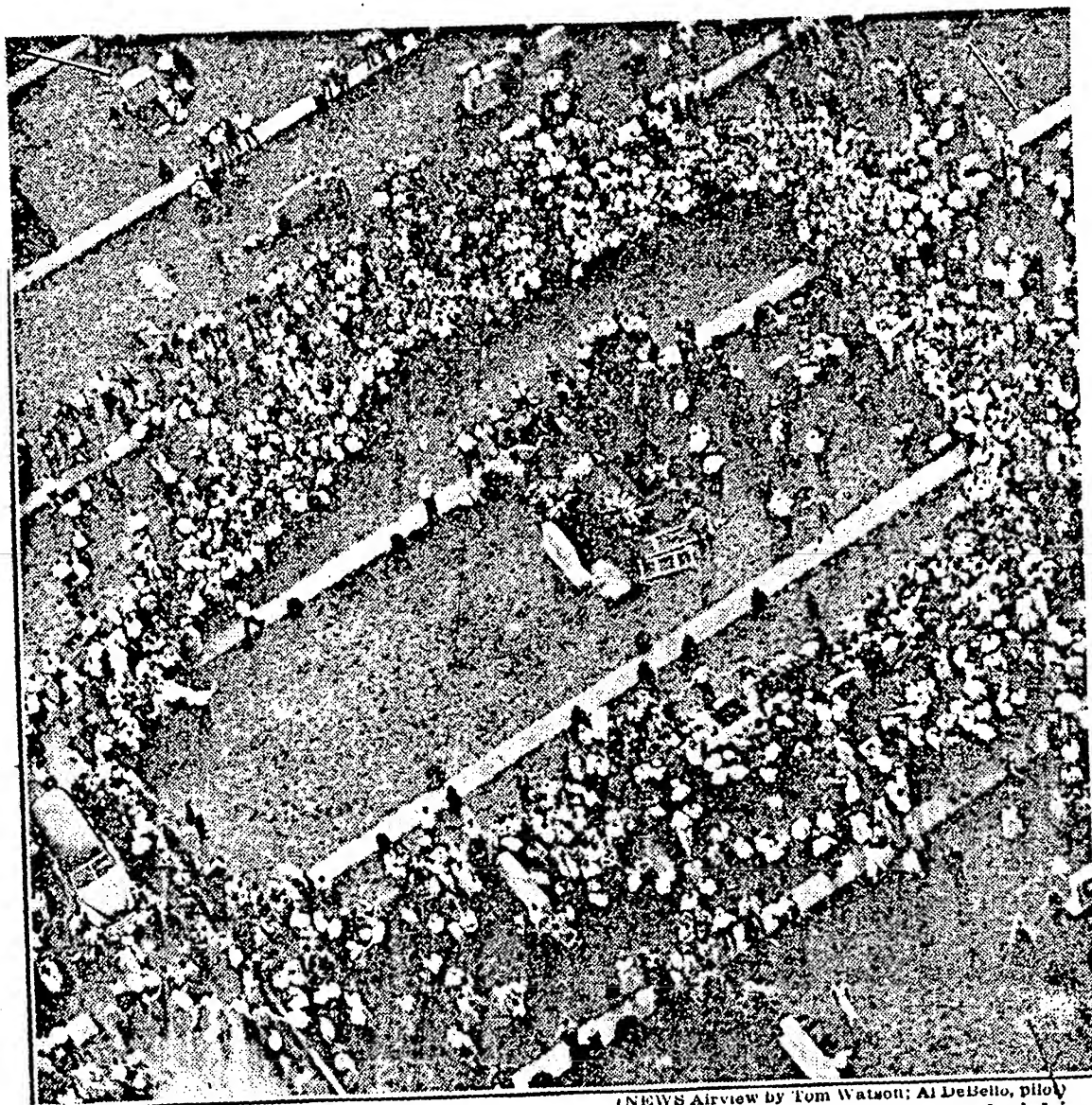
Sydney, Australia, June 21 (AP).—Police broke up a crowd of 2,000 marching on the U.S. Embassy today to protest the execution of the Rosenbergs.





Tears and Blows at Rosenberg Funeral

Mrs. Sophie Rosenberg [A] is comforted as she's assisted from funeral home at 9703 Church Ave., Brooklyn, after services for her son, Julius, and his wife, Ethel. Behind Mrs. Rosenberg are her weeping daughters, Mrs. Ethel Goldberg and Mrs. Lena Cohen. Outside the funeral home police [←] leap in to separate NEWS photographer Leroy Jakob and one of Rosenberg mourners who hit the photographer in the mouth while he was taking pictures. Several other incidents took place at the funeral home and at the cemetery.



(NEWS Airview by Tom Watson; Al DeBello, pilot)
Crowds, held back by guards with locked arms, watch from a distance as the Rosenbergs are buried in Wellwood Cemetery, Pinelawn, L. I. One coffin has already been lowered, the other is about to be.



Spy Drama's Tearful End. Mrs. Sophie Rosenberg, mother of executed spy Julius Rosenberg, is supported by doctor and attorney Emanuel Bloch (right) as she bursts into tears as her son's casket is lowered into the earth at Wellwood Cemetery, Pinelawn, L. I. Ethel Rosenberg was buried in the same grave with her husband.

(NEWS photo by Fred M. ...)

Set Hearing On Justice Douglas

WASHINGTON, June 23 (INS)
—A House subcommittee today called a public hearing for next Tuesday on a proposal to impeach Supreme Court Justice Douglas for his decision to stay the execution of Julius and Ethel Rosenberg.

Rep. Graham (R.-Pa.), chairman of the five-man Judiciary subcommittee, said the hearing would be held on a resolution by Rep. Wheeler (D.-Ga.), which calls for the impeachment of Douglas for "high crimes and misdemeanors." Wheeler was scheduled to be the first witness at the hearing.

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N.Y. MIRROR

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N. Y.

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Final Edition

Disorders Mark A-Spies' Funeral

Mrs. Sophie Rosenberg is comforted by attorney Emanuel Bloch (left) and an unidentified man at the funeral for her son and daughter-in-law, Julius and Ethel Rosenberg, executed atom spies.

By CHARLES GRUENBERG

Even in death, the Rosenbergs were surrounded with violence and anger, bitterness and tears.

Julius and Ethel Rosenberg, executed atom spies, were laid side by side in a single grave yesterday as their supporters vowed to continue the fight to prove them "patriotic Americans."

More than 10,000 persons jammed the searing street outside the I. J. Morris Funeral Home, Church Av. and Rockaway

See editorial 'The Other Way,' on Page 23.

Pkwy., East Flatbush, while final services were held for the dead pair.

Inside the chapel, the services took on the complexion of a political meeting as Emanuel Bloch, the Rosenbergs' lawyer, delivered a blistering diatribe against the government.

Rabbi Abraham Cronbach, professor emeritus at the Hebrew Union College at Cincinnati, de-

Continued on Page 16

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Disorders Mark Funeral Of Executed Atom Spies

Continued from Page 5

livered a mild and compassionate sermon, pleading that "we must keep our hearts clean of vindictiveness." He was hissed.

Several incidents were reported by police as the crowd milled around the chapel during the service, and later when the cortege was proceeding to Wellwood Cemetery in Pinelawn, L.I.

A photographer was roughed as he attempted to take pictures of the Rosenberg's relatives. A man who tried to force his way into the chapel was arrested for disorderly conduct. A State trooper was mobbed and disarmed near the cemetery after he drew his blackjack during a dispute with a mourner.

Police estimated that the cortege was made up of 7,000 cars—so long in fact that fewer than 2,000 person were able to arrive at the cemetery in time for the burial.

Mrs. Sophie Rosenberg, mother of Julius, broke down several times. She collapsed at the sight of the coffins in the funeral home, sobbing, "My baby, my baby, my little baby."

At the cemetery, she tried to

throw herself over the coffins, crying in Yiddish, "God help me—to lose two children—to take away a mother and father from two children."

The funeral service in fact the entire proceeding from the time the two bodies were claimed after the execution, appeared to have been carefully arranged by the Committee to Secure Justice in the Rosenberg Case.

Bloch provided the climax of the service when he ascended the pulpit, termed the execution of the Rosenbergs "murder," and shouted, "America today is living under the heel of a military dictator garbed in civilian attire."

He said, "I place the murder of the Rosenbergs at the door of President Eisenhower, Attorney General Brownell and J. Edgar Hoover. This is not American justice..."

At another point he shouted, "We must be angry, we must be resentful, we must commence a struggle to resist nazism. This was the face of nazism that killed the Rosenbergs."

In contrast was the sermon of Rabbi Cronbach. "We must eschew hatred," he said. "We must disdain rancor."

He told the mourners to demonstrate their "loyalty as Americans," saying,

"We have nothing to gain by America's injury. We gain when America gains. We lose when America loses."

Extra police were on duty at the funeral home and at the cemetery. At the latter place, state and local police were seen taking license numbers of all the cars in the vicinity.

"We're looking for subversive," one cop explained.



Associated Press Photo

Rosenbergs 'Murdered,' Their Lawyer Says at Funeral

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Jo A. Harrington

12,000 See Bodies; 7,000 Cars in Parade

By HAROLD SMITH

The turbulence and rancor that walked hand-in-hand with Ethel and Julius Rosenberg to the electric chair followed them to their graves as bitter throngs of sympathizers labeled as "murder" their conviction and death for atom spying.

More than 12,000 persons—some weeping bitterly, some stony-faced—filed past the coffins of the couple at an East Flatbush funeral parlor from late Saturday night to 1:30 p.m. yesterday as speaker after speaker whipped the crowd with denunciations of the country which the Rosenbergs betrayed.

The two bodies, wrapped in white shrouds, lay side by side in the I. J. Morris Funeral Home, Church Ave. and Rockaway Parkway. At the head and foot of the biers stood four color guards, each bearing the American flag.

Unexpectedly Orderly

The crowd, which jammed the streets and rooftops for three blocks around, was unexpectedly orderly and quiet. The only major lapse occurred during the orthodox Jewish service, which was attended by 350 persons, most of them members of the "Committee to Secure Justice for the Rosenbergs." The committee defrayed funeral expenses and made all arrangements.

~~The mourners had~~ blessed and boomed the small, aged rabbi who conducted the services when he urged that they bear no rancor or hatred in their hearts, declaring that the authorities "had done what they thought was right."

But they murmured approval as Emmanuel Bloch, attorney for the Rosenbergs in their two-and-one-half-year fight to escape the electric chair, charged President Eisenhower, Attorney General Herbert Brownell and FBI Director J. Edgar Hoover with "murder."

"America today is living under the heel of a military dictatorship," cried Bloch, adding that those who had "murdered" these two "sweet, intelligent, gentle, cultured people" had "hearts of stone and the soul of murderers and barbarians."

The talk by Rabbi Emmanuel Cronbach, professor emeritus of the Hebrew Union Seminary, seemed to come as a surprise, if not an affront, to "committee" members when he urged them to "eschew hatred and keep our hearts free of vindictiveness."

"Let us not vituperate those who rendered the verdict," he said. "They did what they thought was right. We must demonstrate that we are loyal to America. We must not be accused of remission. We gain when America gains, we lose when America loses," he concluded.

The head of the "Save the Rosenbergs Committee," Joseph Brainin, who led off the eulogies to the A-spies, praised the couple's "Americanism."

Urges Family to Be Proud

"The family must realize that as the custodians of the Rosenberg name, they must be proud. They must remember that Julius and Ethel Rosenberg went to their death in a most honorable manner," he said.

"It is a name that will live for centuries throughout the world and a name they must be proud to bear," Brainin concluded.

Minor Maurice Erstling, past president of the Cancers Association of New York City, in-

toned the age-old Hebrew prayers for the dead.

Ten-year-old Michael Rosenberg, and Robert, 6, were not present at the services, which were marked by the despairing wail of Mrs. Sophie Rosenberg, mother of Julius, who cried "my baby, my baby," when his casket was wheeled in.

Ethel Rosenberg's relatives were not present. But among the mourners was Mrs. Helen Sobell, whose husband, Morton, now serving 30 years in Alcatraz, was convicted as a co-conspirator.

Photographer Mauled

Temperers were unexpectedly calm in the 93-degree temperature as thousands stood in line to see the couple in death. A Daily News photographer, Leroy Jakob, was one of the few casualties when he was mauled by two "Rosenberg Committee" members as he tried to take a picture of David Rosenberg, brother of Julius. There was only one arrest for disorderly conduct.

Three thousand marchers followed the slowly moving hearses for a short way, in a six-block line. More than 250 cars and three chartered buses left for Westwood Cemetery, Pinelawn, where the committee announced it will put up a monument to the two traitors.

Among top Communist leaders recognized at the funeral were Leon Strasser, secretary of the Fur and Leather Workers Union, who generally leads the May Day Parade in an

Army uniform; Barney Minter, Solly Tischler and Irving Stern.

At the cemetery, a scant distance from the Brookhaven Atomic Laboratory, the plain oak coffins were lowered, while thousands of autos in the funeral cortege still stormed the gates. Police later estimated 7,000 autos were in the procession.

Mrs. Rosenberg, Julius' mother, cried out and attempted to throw herself across the coffins.

"God help me," she sobbed, "to lose two children—to take a mother and father away from two children. Look at those two boxes holding my children."

Speakers at the grave included David Alman, secretary

of the Rosenberg Committee, and his wife, Emily; the Rev. Glendon Partridge, a Presbyterian minister of Montreal; Mrs. Helen Sobell, wife of convicted spy Morton Sobell; Dr. W. E. B. DuBois, anthropologist, and Yuri Suhl, writer.

Two other "incidents" reported by police were the arrest of a man for disorderly conduct when he attempted to force himself into the funeral home and the near mobbing of a State trooper who drew his blackjack during a violent argument with one of the mourners.

The trooper retreated to his car and called for help. The police sirens were wailing as the Rosenbergs were laid to rest.

Reds Plan 'Shrine' At Rosenberg Grave

Propose Erection of Monument To Traitors at Burial Plot

(Photo in Picture Section)

Leftists today planned to erect a monument over the grave of the Rosenberg traitors who in death as in life were serving the Communist cause.

A committee was to survey the ground for a "shrine" to the Red "martyrs" in the same cemetery with patriotic Americans, including veterans of the war against communism.

Plans called for a huge stone monument with an inscription that would follow the Communist line that the executions of Ethel and Julius Rosenberg constituted "murder."

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They reportedly hoped to buy additional ground for the monument to the couple who died in the electric chair at Sing Sing Prison late Friday for stealing America's atomic secrets for Soviet Russia.

Ironically, just outside the cemetery where the traitors were buried, a sign points to Brookhaven National Laboratory, a few miles distant, where those secrets are put to use for America.

Near Riots Mar Funeral

It was learned that the double grave plot that now contains the Rosenbergs was purchased just a few hours before the near-riotous funeral yesterday. The committee refused to say who paid for it.

Patriotic Americans whose dead lie in the same cemetery were expected to resist attempts to make a Red "shrine" of the spies' plot. A number of loyal citizens paying Father's Day homage to their departed clashed with Rosenberg sympathizers.

The traitors' bodies branded by the electric chair were lowered into the ground to the screaming dirge of police sirens answering a "near riot" call.

"Mourners" among the well-organized mob of 1,500 to 2,500 around the Rosenberg plot assaulted news photographers, policemen and loyal Americans who were visiting their dead.

A group of four men who objected to the mob scene

Continued on Page 6, Column 1.

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Afternoon Edition

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To Erect Monument to Traitors:

Keds Plan to Make Grave Of Rosenbergs a 'Shrine'

Continued from First Page

and burial of the Rosenbergs in the cemetery were surrounded, pushed and shoved. One commented bitterly:

"There are plenty like us who came out here for Father's Day. We are shocked to find that our loved ones must sleep in the same ground as those two traitors."

The scene at the normally peaceful cemetery was a repetition of earlier "organized hysteria" among an estimated 10,350 persons at services in I. J. Morris Funeral Chapel, Church ave. and Rockaway Parkway, Brooklyn.

The services were an incongruous mixture of political agitation and the dignity in the Jewish rites for the dead. A rabbi was hooted and hissed for gentle words of Scripture ("Thou shalt not hold hatred for your brother.")

The political keynote was sounded by Emanuel Bloch, chief lawyer for the Rosenbergs, who

shouted from a pulpit overlooking the bodies of the pair:

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In contrast, Rabbi Abraham Cronbach, professor emeritus at Hebrew Union College in Cincinnati, said:

"We must eschew hatred, we must disdain rancor, we must keep our hearts clean of vindictiveness."

Referring to the prosecutors and judges in the Rosenberg case, the gray-haired Rabbi said:

"Let us give them credit for this much—they did what they thought was right."

RABBI HISSED.

Now the mourners hissed as the Rabbi went on to quote Scripture—"Thou shalt take no revenge; Thou shalt bear no grudge." Angry murmers greeted him when he added:

"We have nothing to gain by America's injury. We gain when America gains. We lose when America loses."

Noticeably absent were Mrs. Tessie Greenglass, mother of Ethel Rosenberg and David Greenglass, also a traitor, who testified for the prosecution. Neighbors have described Mrs. Greenglass as pro-American.

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Among those present, and a speaker at the cemetery was Mrs. Helen Sobell, wife of Morton Sobell, co-defendant of the Rosenbergs. Sobell is serving 30 years in Federal prison for stealing radar secrets.

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Outside the funeral parlor in the mob of 10,000 a news photographer was punched in the mouth and one man was arrested for disorderly conduct for trying to break through a police line.

The funeral was so well organized by the Rosenberg Committee there was a "press section" set aside in the funeral home and a limousine was provided to take reporters to the cemetery. Newspapermen refused to ride in the car.

At the cemetery, however, several news photographers were bowled over by the crowd when they tried to take pictures of the "organized hysteria." The mob shouted:

"Kill them!"

In one scuffle a State trooper

was mobbed and his black sack was snatched from his hand. He got in a squad car, pulled his pistol and called for reinforcements.

In another incident, a Babylon town policeman directing traffic was mobbed by Rosenberg sympathizers. An auxiliary policeman jumped into a car, raced to the cemetery and brought back crews of seven police cars to disperse the crowd.

The traitors' funeral procession, which included notorious Communist Party figures spotted by the Special Service Squad, swirled past a grave where a large American flag fluttered over a tombstone inscribed:

"Died in line of duty."

Rosenberg Funeral Mob Boos Plea to Forgive

Defense Attorney Eulogizes Executed Spies for 'Heroism'

Funeral services for Julius and Ethel Rosenberg erupted yesterday into tearful praise of the electrocuted atom spies and angry attacks on U.S. government officials.

Defense attorney Emanuel Bloch declared in a funeral oration that the executions were "an act of cold, deliberate murder."

He said he placed "the murder of the Rosenbergs at the door of President Eisenhower, Attorney General (Herbert) Brownell and (FBI Director) J. Edgar Hoover."

Praises 'Courage.'

Mr. Bloch praised the New York City couple—who died Friday night in the electric chair at Sing Sing prison—for what he called their "courage and heroism."

Semi-orthodox Jewish services were held for the Rosenbergs at a Brooklyn funeral home chapel, largest in the Brooklyn-Manhattan area. About 500 mourners jammed the chapel, and a crowd estimated by police at 10,000 milled around outside in 93-degree heat.

The chapel filled with hisses and murmurs of "No" when Rabbi Abraham Cronbach said: "Let us give them (the prosecutors) credit for this: that they did what they thought was right."

Rabbi Cronbach, professor emeritus of the Hebrew Union College of Cincinnati, presided over the service. He was one of a delegation of four clergymen who urged President Eisenhower last week to commute the Rosenbergs' sentences to life imprisonment.

The rabbi told his protesting audience not to be vindictive, even though the executions "broke our hearts." He continued:

"We must demonstrate that we are among those most loyal to America. We must not permit any ground for accusations of remission in our American citizenship. We gain when America gains and we lose when America loses."

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"The people should know that America is living under the heel of a military dictator garbed in civilian attire. These people... have the souls of murderers."

Mr. Bloch was attorney for the Rosenbergs at the trial in which they were convicted of conspiring to pass U.S. atomic secrets to Soviet Russia. For more than two years he led the court fight to have their death sentence set aside.

A procession of more than 300 automobiles followed the hearses to Wellwood Cemetery on Long Island, 35 miles from New York. At the graveside, Mrs. Sophie Rosenberg, 71-year-old mother of Julius, a black shawl tied around her head and under her chin, wailed in Yiddish:

"God Help me. To lose two children—to take a mother and father away from two children. Look at those two boxes holding my children."

"God, God, why did you do this?"

She tried to throw herself across the caskets as they were to be lowered into the grave side by side. Held back, she fainted.

The Rosenbergs' two sons, Michael, 10, and Robert, 6, remained in seclusion in New Jersey.

Besides his mother, Julius Rosenberg's two sisters and a brother were among the mourners. Members of the committee that arranged the funeral said they did not know whether members of Ethel Rosenberg's family attended.

One of the witnesses against the Rosenbergs at their trial was her brother, David Greenglass.

Bodies in Shrouds.

Prominent at the funeral were members of the "Committee to Secure Justice in the Rosenberg Case," an organization which fought for a new trial until the day of the couple's execution.

Four men, holding American flags, stood by the flower-banked biers.

The bodies were clothed in white muslin shrouds. The husband also wore a prayer shawl and cap. A piece of white lace covered Mrs. Rosenberg's hair.

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Nearly 200 policemen were on duty to keep order and prevent disturbances.

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High Edition

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QYH

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A committee was to survey the ground for a "shrine" to the Red "martyrs" in the same cemetery with patriotic Americans, including veterans of the war against communism.

Strong protests against the plan came immediately from the American Legion and other veterans' and patriotic organizations.

MURDER' INSCRIPTION.

It was learned that the plans called for a stone monument over the grave bearing a Communist-line inscription that the executions of Ethel and Julius Rosenberg constituted "murder."

Plans called for a huge stone monument with an inscription that would follow the Communist line that executions of Ethel and Julius Rosenberg constituted "murder."

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They reportedly hoped to buy additional ground for the monument to the couple who died in the electric chair at Sing Sing Prison late Friday for stealing America's atomic secrets for Soviet Russia.

Ironically just outside the cemetery where the traitors were buried, a sign points to Brookhaven National Laboratory, a few miles distant, where those secrets are put to use for America.

While the plans to ennoble the pair of traitors went ahead, police continued their guard over Federal Judge Irving R. Kaufman, who sentenced them to death.

GUARD WILL REMAIN

A uniformed detail of 11 men was posted around his Park ave. apartment and it was officially reported that the guard will remain until the Red frenzy has died down.

It was learned that the double grave plot that now contains the Rosenbergs was purchased just a few hours before the near-riotous funeral yesterday. The committee refused to say who paid for it.

The double grave in the cemetery was purchased just a few hours before the burials. The cemetery is owned by the Wellwood Cemetery Association, 1457 Broadway, Manhattan, where, to-

Continued on Page 6, Column 1.

Vet Groups In Protest

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Beds Plan to Make Grave Of Rosenbergs a 'Shrine'

Continued from First Page

day, the board of directors refused to answer questions on the proposed plan for a "shrine."

A reporter was told to submit all questions "in writing."

The Rosenberg Committee apparently laid its plans well in advance, setting aside a "press section" in the funeral home and providing a car to take reporters to the cemetery. Newspapermen refused to ride in it.

The traitors' bodies, branded by the electric chair, were lowered into the ground to the screaming dirge of police sirens answering a near riot call.

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jected to the mob scene and burial of the Rosenbergs in the cemetery were surrounded, pushed and shoved. One commented bitterly:

"There are plenty like us who came out here for Father's Day. We are shocked to find that our loved ones must sleep in the same ground as those two traitors."

Maurice Stember, State adjutant of the American Legion, said:

"It is important to remember that the Reds who were so active in these obscene rites did little to help their friends until the Kremlin decided that the Rosenbergs were not going to expose a plot in which they played so prominent and vile a part."

HOW REDS OPERATE.

"The campaign waged by the Communists on behalf of these traitors has been an excellent example how the international Communist machine operates. The only mistake in the case was the delay of more than two years in which every legalistic gimmick was used to whip up an international hate campaign."

Leo Calarco, New York County

commander of the Catholic War Veterans said:

"The act of making heroes out of the Rosenbergs simply confirms the judgment of the jury and the sentence of the court. What better proof can you ask for?"

Joseph Malloy, Queens commander, CWV, said:

"I think a shrine would be a good thing—if it were built in Moscow."

INSULT TO VETERANS.

Jerry Cohen, Kings County commander of the Jewish War Veterans, called the Rosenbergs "traitors to our way of life who certainly should not be made martyrs for their acts of treason."

"Any 'shrine' would be an insult to the veterans who fought in the war so that we could continue living in a free world, a principle the Rosenbergs didn't believe in," he said.

The scene at the normally peaceful cemetery was a repetition of earlier "organized hysteria" among an estimated 10,350 persons at services in I. J. Morris Funeral Chapel, Church ave. and Rockaway pkwy, Brooklyn.

The services were an incongruous mixture of political agitation and the dignity in the Jewish rites for the dead. A rabbi was hooted and hissed for gentle words of Scripture ("Thou shalt not hold hatred for your brother.")

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12,000 See Bodies; 7,000 Cars in Parade

By HAROLD SMITH

The turbulence and rancor that walked hand-in-hand with Ethel and Julius Rosenberg to the electric chair followed them to their graves as bitter throngs of sympathizers labeled as "murder" their conviction and death for atom spying.

More than 12,000 persons—some weeping bitterly, some stony-faced—filed past the coffins of the couple at an East Flatbush funeral parlor from late Saturday night to 1:30 p.m. yesterday as speaker after speaker whipped the crowd with denunciations of the country which the Rosenbergs betrayed.

The two bodies, wrapped in white shrouds, lay side by side in the I. J. Morris Funeral Home, Church Ave. and Rockaway Parkway. At the head and foot of the biers stood four color guards, each bearing the American flag.

Unexpectedly Orderly

The crowd, which jammed the streets and rooftops for three blocks around, was unexpectedly orderly and quiet. The only major lapse occurred during the orthodox Jewish service, which was attended by 350 persons, most of them members of the "Committee to Secure Justice for the Rosenbergs." The committee defrayed funeral expenses and made all arrangements.

The mourners had hissed and booed the small, aged rabbi who conducted the services when he urged that they bear no rancor or hatred in their hearts, declaring that the authorities "had done what they thought was right."

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N. Y. BROOKLYN EAGLE

DATED JUL 2 9 1953
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But they murmured approval of Emmanuel Bloch, attorney for the Rosenbergs in their two-and-one-half-year fight to escape the electric chair, charged President Eisenhower, Attorney General Herbert Brownell and FBI Director J. Edgar Hoover with "murder."

"America today is living under the heel of a military dictatorship," cried Bloch, adding that those who had "murdered" these two "sweet, intelligent, gentle, cultured people" had "hearts of stone and the soul of murderers and barbarians."

The talk by Rabbi Emmanuel Cronbach, professor emeritus of the Hebrew Union Seminary, seemed to come as a surprise, if not an affront, to "committee" members when he urged them to "eschew hatred and keep our hearts free of vindictiveness."

"Let us not vituperate those who rendered the verdict," he said. "They did what they thought was right. We must demonstrate that we are loyal to America. We must not be accused of remission. We gain when America gains, we lose when America loses," he concluded.

The head of the "Save the Rosenbergs Committee," Joseph Brainin, who led off the eulogies to the Aspies, praised the couple's "Americanism."

Urges Family to Be Proud

"The family must realize that as the custodians of the Rosenberg name, they must be proud. They must remember that Julius and Ethel Rosenberg went to their death in a most honorable manner," he said.

"It is a name that will live for centuries throughout the world and a name they must be proud to bear," Brainin concluded.

Cantor Maurice Erstling, past president of the Cantors Association of New York City, in-

toned the age-old Hebrew prayers for the dead.

Ten-year-old Michael Rosenberg, and Robert, 6, were not present at the services, which were marked by the despairing wail of Mrs. Sophie Rosenberg, mother of Julius, who cried "my baby, my baby," when his casket was wheeled in.

Ethel Rosenberg's relatives were not present. But among the mourners was Mrs. Helen Sobell, whose husband, Morton, now serving 30 years in Alcatraz, was convicted as a co-conspirator.

Photographer Mauled

Temperers were unexpectedly calm in the 93-degree temperature as thousands stood in line to see the couple in death. A Daily News photographer, Leroy Jakob, was one of the few casualties when he was mauled by two "Rosenberg Committee" members as he tried to take a picture of David Rosenberg, brother of Julius. There was only one arrest for disorderly conduct.

Three thousand marchers followed the slowly moving hearses for a short way, in a six-block line. More than 250 cars and three chartered buses left for Wellwood Cemetery, Pinelawn, where the committee announced it will put up a monument to the two traitors.

Among top Communist leaders recognized at the funeral were Leon Strauss, secretary of the Fur and Leather Workers Union, who generally leads the May Day Parade in an

Army uniform: Barney Minter, Solly Tischler and Irryng Stern.

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One of the witnesses against the Rosenbergs at their trial was her brother, David Greenglass.

Bodies in Shrouds.

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JUSTICE EXPLAINS ATOM SPY DISSENT

Frankfurter Sets Forth His
Reasons in Rosenberg Case
in 'Opinion for History'

By LUTHER A. HUSTON

Special to THE NEW YORK TIMES

WASHINGTON, June 22—In an opinion that he acknowledged was written only for history, Justice Felix Frankfurter of the Supreme Court set forth today his reasons for dissenting from the majority ruling last Friday that revoked the stay of execution granted by Justice William O. Douglas to Julius and Ethel Rosenberg, the atom spies.

The majority held that the point of law upon which Justice William O. Douglas based his order was not substantial. Justice Frankfurter asserted today that he could not agree with that decision and dissented chiefly because he had not had time to explore the issue and arrive at a sound judgment as to its validity.

"Nothing I am saying may be taken to intimate that I would now sustain the last claim made in behalf of the Rosenbergs," Justice Frankfurter wrote. "But I am clear that the claim had substance and that the opportunity for adequate exercise of judicial judgment was wanting."

The issue was whether the death sentence imposed upon the Rosenbergs by Federal Judge Irving R. Kaufman was legal in view of the provisions of the Atomic Energy Act of 1946 that made a jury's recommendation prerequisite to imposition of the death penalty, or life imprisonment, in atomic espionage cases.

Volunteer Lawyer's Point

That was the contention of Eyke Farmer, the volunteer lawyer from Nashville, Tenn., who raised the point that the power to impose the death penalty given the judge in the Espionage Act of 1917, under which the Rosenbergs were indicted and convicted, had been taken from him in this case by the Atomic Act. The death penalty had not been recommended by the jury.

"The court recognized Mr. Justice Douglas' power to entertain the application for a stay; his power to consider a question though raised by counsel not of record; his power to consider a question not heretofore urged, when it concerned the legality of a sentence," Justice Frankfurter wrote.

"Thus the only issue in the case was whether the question on the basis of which Mr. Justice Douglas acted was patently frivolous or was sufficiently serious to require the judicial process to run its course with the deliberation necessary for confident judgment. That is the sole issue to which this opinion is addressed."

The Government had contended that the Atomic Energy Act did not apply because the overt acts charged against the Rosenbergs had been committed before the law was enacted. The indictment charged a conspiracy that continued from 1944 to 1950, but overt acts involving atomic espionage only in 1944 and 1945. It contended that acts pursuant to the conspiracy after 1945 did not pertain to atomic espionage.

Judge's Charge to Jury

Justice Frankfurter asserted that Judge Kaufman told the jurors, in charging them, that they must find that a conspiracy existed if they were to return a guilty verdict.

"The Government," Justice Frankfurter said, "having tried the Rosenbergs for a conspiracy continuing from 1944 to 1950, to reveal atomic secrets among other things, it flew in the face of the charge made, the evidence adduced and the basis on which the conviction was secured now to contend that the terminal date of the Rosenberg conspiracy preceded the effective date of the Atomic Energy Act."

"The crux of all I am suggesting," said the Justice, "is that none of the obvious considerations for bringing the all too leaden-footed proceedings in this case to an end should have barred the full employment of the deliberative process necessary for reaching a firm conclusion on the issue on which the court has now spoken."

"To be writing an opinion in a case affecting two lives after the curtain has been rung down upon them has the appearance of pathetic futility. But history also has its claims. This case is an incident in the long and unending effort to develop and enforce justice according to law."

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DATED JUN 23 1953
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Late City Edition

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Capital Commentary:

Rosenberg Data Helping Reds Make Bombs Now

By DAVID SENTNER, Chief, N. Y. Journal-American Washington Bureau

WASHINGTON, June 22.—Another reason why there was no White House clemency for the Rosenbergs, atomic spies:

Their stolen nuclear data funneled to Moscow is contributing to the Soviet plan for mass production of A- bombs.

Russia, four years behind on atomic know-how, feels A-bombs can be turned out on the assembly line like automobiles. They think 100 old-fashioned A-bombs can be worth more than one H-bomb.

Topside officialdom in Washington is secretly alarmed over the uprising in East Berlin.

Not sure that disturbances were not Moscow-inspired as pretext to pour heavy armed forces into Soviet sector.

Armored troop reinforcements sent to East Berlin are now in sufficient strength to overwhelm Allied military forces in West in case there was a Soviet putsch.

On the other hand, the Pentagon conjectures that there is more chance of Russia starting a war for divisionary purposes if outbursts in East Berlin reflect a serious anti-Communist rumbling throughout entire corridor of Red satellite nations.

American Intelligence knows Soviet Premier Malenkov has al-

ways been in favor of war with the United States. The majority of the Politburo is in favor of war.

Contrary to popular belief, Malenkov doesn't need time to consolidate his power because he has been doing it for years during Stalin's illness.

Also, Malenkov has the Communist party and the Army under his thumb. And with Beria, chief of the secret police, working along with him, he has nothing to fear.

What the new shifty glint in the eye of the Red Bear means to the U. S. A. home front will be revealed this week before a Senate Judiciary subcommittee by Joe Mazzei, of Pittsburgh, former FBI undercover agent in the Communist party.

Mazzei, who told another Senate committee last week of the Red plot to assassinate Sen. McCarthy (R.-Wis.), will testify:

That the present Soviet "peace offensive" is designed to be the last stage in the Red program of giving a "sleeping pill" to the American people before Communist Russia attacks the Continental United States.

That all Red Union officials have been ordered to "lay low" to make it appear that the class struggle has been sidetracked by the Malenkov regime.

That Communist party "operational propaganda" is concentrating upon schools, churches and children.

That while the C. P. is attempting to play possum by posing that it is bankrupt and defunct, there has never been more activity in American Red apparatus in the past 11 years, nor has it ever had as much funds to work with.

There is an untold stirring story behind Mazzei's undercover work for the FBI in the Red party for a dozen years. It is a different sort of thriller than that involving other American counterespies because it is a team affair.

Joe's childhood sweetheart, Mary Kostosky, a Polish-American girl whom he married, worked with him in the party.

The man-and-wife FBI undercover team have three children;

Mary Ann, 13; Joseph, 8, and Nina, 18 months.

Mary Ann kept asking her parents:

"Why are we Communists? Why can't we be Americans?"

N.Y. JOURNAL AMERICAN
JUN 22 1953

Frank Sinatra

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65-15348-A-1186

Rosenberg Fervor:

China Reds Call Spy Pair Heroic

TOKYO, June 22 (INS).—Chinese Communist propagandists today joined in a campaign to commemorate executed atomic spies Julius and Ethel Rosenberg as "martyrs."

The official Communist Chinese organ, the Peiping Peoples' Daily, declared:

"Enshrined forever in the hearts of all decent people will be the noble heroism of the Rosenbergs."

BELGIAN PAPER CRITICAL

BRUSSELS, June 22 (AP).—The Social Christian newspaper La Cite criticized the United States government for executing atom spies Julius and Ethel Rosenberg and expressed doubt as to their guilt.

PROTEST IN AUSTRALIA.

SYDNEY, June 22 (AP).—Police broke up a crowd of 2,000 marching on the U. S. Embassy yesterday to protest the execution of atom spies Julius and Ethel Rosenberg. Protest meetings were held in other Australian cities, including Canberra.

SLAP AT IKE.

ROME, June 22 (AP).—Italy's leftist press filled many columns about atom spies Julius and Ethel Rosenberg. L'Unita, organ of Italy's Communist Party, published a cartoon showing President Eisenhower chained to two electric chairs.

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65-15348-A-187

Frankfurter Joins Rosenberg Dissent

WASHINGTON, June 22 (UP).—Justice Frankfurter today officially listed himself among the dissenters in Friday's Supreme Court decision setting aside the stay of execution of atomic spies Julius and Ethel Rosenberg.

The Rosenbergs were executed at Sing Sing Prison Friday night and were buried in New York yesterday.

THE OTHER dissenting justices were Douglas, who granted the stay, and Black. This made the official vote against the Rosenbergs 6 to 3.

On Friday, Frankfurter merely issued a one-paragraph statement that he thought the court should have taken more time to consider legal technicalities in the case. Today he issued a 10-page opinion headed:

"Mr. Justice Frankfurter dissenting."

The legal point raised by the defense was whether that Rosenbergs should have been tried under the 1946 Atomic Energy Act instead of the 1917 espionage law, under which they were convicted and sentenced to death.

THE SIX-MAN majority ruled there was "no substantial" question involved and doomed the spy team to the electric chair.

After discussing the legal point, Frankfurter wrote:

"Since I find myself under the disability of having had insufficient time to explore the issue as I believe it should have been explored, nothing I can say may be taken to intimate that I would now sustain the last claim made in behalf of the Rosenbergs.

"But I am clear that the

claim had substance and that the opportunity for adequate exercise of the judicial judgment was wanting.

"To be writing an opinion in a case affecting two lives after the curtain has been rung down upon them has the appearance of pathetic futility. But history also has its claims.

"Only by sturdy self-examination and self-criticism can the necessary habits for detached and wise judgment be established and fortified so as to become effective when the judicial process is again subjected to stress and strain."

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Frankfurter Dissenting

WASHINGTON, June 22 (UP). —Associate Justice Felix Frankfurter today officially listed himself among the dissenters in Friday's Supreme Court decision setting aside the stay of execution for atomic spies Julius and Ethel Rosenberg.

The Rosenbergs were executed at Sing Sing prison Friday night and buried in New York yesterday.

The other dissenting justices were William O. Douglas, who granted the stay, and Hugo L. Black. This made the final official vote rejecting the Douglas ruling 6 to 3.

At the time, Justice Frankfurter merely issued a one-paragraph statement saying he thought the court should have taken more time to consider legal technicalities in the case. Today he issued a ten-page opinion headed: "Mr. Justice Frankfurter dissenting."

Justice Frankfurter wrote: "Since I find myself under the disability of having had insufficient time to explore the issue as I believe it should have been explored, nothing I can say may be taken to intimate that I would now sustain the last claim made in behalf of the Rosenbergs."

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Frankfurter Asks In On the A-Spy Dissent

Washington, D. C., June 22 (U.P.).—Justice Felix Frankfurter today put himself among the dissenters in Friday's Supreme Court decision setting aside the stay of execution for atom spies Julius and Ethel Rosenberg, who were executed Friday night.

The other dissenting justices were William O. Douglas, who had granted the stay, and Hugo L. Black. This made the final vote 6 to 3.

On Friday, Frankfurter merely issued a one-paragraph statement saying he thought the court should have taken more time to consider the legal issue raised by the defense attorneys, who argued that the Rosenbergs should have been tried under the 1946 Atomic Energy Act rather than the 1917 espionage law.



Justice
Frankfurter

Under a "Disability."

The six-man majority ruled there was "no substantial question in-

volved." Today, in a 10-page opinion Frankfurter wrote:

"Since I find myself under the disability of having had insufficient time to explore the issue as I believe it should have been explored, nothing I can say may be taken to intimate that I would now sustain the last claim made in behalf of the Rosenbergs. But I am clear that the claim had substance and that the opportunity for adequate exercise of the judicial judgment was wanting.

"To be writing an opinion in a case affecting two lives after the curtain has been rung down upon them has the appearance of pathetic futility. But history also has its claims. . . .

"Only by sturdy self-examination and self-criticism can the necessary habits for detached and wise judgment be established and fortified so as to become effective when the judicial process is again subjected to stress and strain."

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Serial Edition

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MARTYRS, HELL

✓ As expected, the Communist Party all over the world has got busy building up the executed Ethel and Julius Rosenberg as a couple of martyrs to Capitalist terror.

The N. Y. Daily Worker is weeping throughout its eight smudgy pages like a battalion of crocodiles. The Red press around the globe is echoing the Worker. A plan is on foot to erect a "shrine" over the bodies which were buried Sunday in Wellwood Cemetery at Pinelawn, L. I.

Old Red The couple electrocuted at Sing Sing last Friday were not martyrs. They were
Con Game traitors, in that they passed atomic secrets to their country's most formidable enemy nation. They were convicted by a jury in a fair trial, and given every legal recourse of appeal and re-appeal before they hit their last mile.

Sacco and Vanzetti are growing stale as "martyrs" since so many people have forgotten who they were. The Reds are trying to make a pair of nice, fresh martyrs of the Rosenbergs. Any American who falls for this hokey ought to have his head examined—or his loyalty.

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The Lyons Den

By Leonard Lyons



WINCHELL: WW's newest target is Justice Douglas, for having issued a stay in the Rosenberg case—an act which the Court held he had a right to do. Douglas is a man of courage, who will do that which he believes right no matter the hue and cry. That's why, when Winchell's Navy career was in jeopardy and he came a-weeping to Washington, I introduced him to Douglas, who intervened and saved it for him . . . WW's newest snipe at me is the fact that my youngest son is named Douglas. That's true. Fathers usually name their sons after men they deem truly great: I named mine Douglas, he named his Walter Winchell Jr.

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Frankfurter Belatedly Adds Footnote to A-SPY Dissent

Special to the New York Post
Washington June 23—It was by a vote of 6-3 that the Supreme Court last Friday set aside Justice Douglas's stay and permitted the execution that night of atom spies Julius and Ethel Rosenberg. This footnote made public a 10-page dissent from the majority opinion. On Friday the Justice had made only a one paragraph statement which left some doubt as to whether or not he was fully joining Justices Black and Douglas in dissent. Justice Frankfurter's full opinion made clear that he felt that the government should not have been sentenced under the Espionage Act of 1917, but among other things, it flew in the face of the charge made the basis for adequate exercise of judicial power and that the opportunity cause the indictment conspiracy that extended into 1950, well after passage of the Atomic Energy Act. He went on to say that "none of the obvious considerations for bringing the all too lengthy proceedings to an end should have been overlooked process necessary, for the full employment of the defendants have been executed the Justice conceded that to write an opinion after the fact is a disservice to the public. "But," history also has its claims," he said. "This case is an incident in the long and un-"

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FROM THE
N.Y. POST
JUN 23 1953

WILLIAMSON
Night Extra

Labor Today

Daily Worker Slaps Unions' A-Spy Apathy

By NELSON FRANK,
Staff Writer.

Commie-controlled unions received a slap from their Daily Worker yesterday for their lack of interest in the Rosenberg case.

Though far milder than would have been likely in the good old days when the paper was laying down the line that had to be followed—or else—the slap is definite enough and none too gentle.

Attacking the "main sections of the labor movement" for having been "most despicable and cowardly" in their failure to show interest in the atomic spies' plight, George Morris, a member of the Communist party's control board, as well as the paper's labor expert, then goes after his own labor union comrades.

The Reason.

The "conspiracy to keep silent on the Rosenberg case" by the regular unions has, he says, "even affected some trade unionists in the progressive camp. It instilled in some of them, too, a fear to speak out or a fatalistic 'what's the use' feeling. . . ." The term "progressive" is used by the Commies to indicate Red-run unions.

These include the American Communications Assn., the United Electrical Workers, Fur Workers, Mine, Mill and Smelter Workers and a few others including Harry Bridges West Coast Longshoremen's and Warehousemen's union. A few locals of the CIO and AFL are also Commie infiltrated.

Though Morris fails to go into the situation in any degree, it is certainly true that his comrade unionists for the most part stayed as far from the Rosenberg case as possible. And for a very good reason.

All have been charged with having some connection with Soviet espionage in one form or another. All have signed affidavits stating that they aren't Commies. None wanted to risk their jobs by getting too near a real spy case.

Few Speakers.

The ACA, for example had its president, Joseph Selly, listed as a speaker at a Rosenberg rally. Then the union charged that there was a plot afoot to smear it and that it had taken no stand on the case. Its lawyer, Victor Rabionwitz, was listed, seemingly accurately, as having spoken at one rally for the spies.

The Fur Workers' president, Ben Gold, is said to have come out for clemency for the Rosenbergs. But if any serious activity was undertaken by the union as a whole to aid the work of the defense committee, it has managed to keep it secret.

The United Electrical Workers kept far away from contact with the case. The two Commie leaders of the union, according to sworn testimony, James Matles and Julius Emspak, were at least as silent in the matter as were George Meany, Walter Reuther and David Dubinsky. All of the last three are attacked by Morris for failure to do anything for the Rosenberg cause. But the UE comrades are not mentioned by name. Nor are any other leftists unionists.

The fact is that the "progressive unionists" wanted nothing to do with the case. If they had feelings on the subject they kept them quiet—~~they~~ issued single releases and then ducked away from the subject.

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Night Edition

The Real Martyrs: Victims of Communism

By E. F. TOMPKINS

QUITE expectably, the "Daily Worker" appeared yesterday draped in heavy sable borders as a Communist memorial to the Rosenbergs, who were executed for espionage at Sing Sing on Friday evening.

The "Daily Worker" characterized the enforcement of the law as a "barbaric murder." Its headlines screamed, "50,000 pay final tribute to martyrs—'Their names shall be vindicated'."

Therein begins another of the hysterical Red campaigns to make heroes out of convicted criminals—and to raise money for Communist purposes by false and maudlin appeals. The Sacco-Vanzetti case in Massachusetts was thus used; so were the cases of Mooney and Billings, the California dynamiters. And again, we must expect a long list of bleeding hearts among the Left-Wing intelligentsia to assist the Communist propaganda.

Germany and Korea

No one should be misled. No intelligent person will be if he notes the contemporaneous news from East Germany and Korea.

In East Germany, the people are in rebellion against the Communist "Peoples Government," and only the juggernaut weight and cannons of Soviet tanks, with the presence of thousands of Soviet infantrymen, prevents an East German declaration of independence.

In South Korea, President Syngman Rhee, in virtual defiance of the United Nations, has set free nearly 30,000 non-Communist prisoners of war who refused to be "repatriated" to North Korea, there to be sentenced to death or to slave labor camps as "deserters" from the aggressors' army.

For every Rosenberg whom the Communists try to martyrize literally millions have perished as victims of Communism.

Let the Left-Wing sympathizers and sentimentalists remember these facts before they echo the Communist chants.

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